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SECTION 41

SECTION 41

SERIALS 1925-1986

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE:

FROM : Mr. R. W. Smith

SUBJECT:

"CIVIL DISOBEDIENCE -
A THREAT TO OUR LAW SOCIETY"
Talk by Morris I. Leibman at
American Bar Association meeting,
New York City, August 11, 1964

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. DeLoach
September 15, 1964
1 - Mr. M. A. Jones
1 - Mr. Gale
1 - Mr. Sullivan
1 - Mr. Smith
1 - Mr. Garner
1 - Mr. Sizoo

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

R. W. Smith
American Bar Association

SYNOPSIS

Copy of above-captioned talk by Mr. Leibman, who is on the Special Correspondents' List, has been received and reviewed in the Research-Satellite Section. Mr. Leibman has served as chairman of the American Bar Association Standing Committee on Education Against Communism. The theme of his talk is that disobedience of the law in our country runs counter to the principles of our society and that so-called "civil" disobedience, in spite of its use for just causes, is a threat to law and order. Mr. Leibman in his talk praises the Director, pointing to the Director as a symbol of a lawyer's obligation to protect our society of laws in accord with its strict rules, regardless of controversy, criticism and personal attack.

RECOMMENDATION

For information.

DETAILS

Copy of above-captioned talk by Mr. Leibman, who is on the Special Correspondents' List, has been received and reviewed in the Research-Satellite Section. Mr. Leibman has served as chairman of the American Bar Association Standing Committee on Education Against Communism. Mr. Leibman's talk is a capable and well-founded reiteration of the theme that any disobedience of law runs counter to our "law society" in which the law and not men is the guiding principle of our country. Mr. Leibman also states that the so-called "civil" disobedience, in spite of its use for just causes, is a threat to law and order in our country.

Mr. Leibman declares that our society has reached a high level in the development and distribution of material goods and that in our

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ENCLOSURE

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RE: "CIVIL DISOBEDIENCE -
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"open democratic republic," which is man's highest achievement, mankind lives more freely, rightfully, and humanly than in the previous history of mankind. The life under our system of Government has been made possible, according to Mr. Leibman, because we move toward the moral and spiritual goals expressed in the Declaration of Independence by means of the Constitution and a system of checks and balances of the Judicial, Executive, and Legislative branches of Government.

Mr. Leibman states that citizens, however, must seek to fulfill their responsibilities by helping our society to bring into reality the unachieved ideals of full or equal participation by all. But in trying to improve the position of various groups, Mr. Leibman states that, in our law society, terror and violence cannot be sanctioned. He notes that the communists continually attempt to exploit the problems in our society and citizens should realize that communists are always trying to insert themselves into troubled areas by stimulating agitation and disrespect for law and order. Mr. Leibman also notes that there have been other groups such as the Nazis, the Black Muslims, and the Ku Klux Klan who have challenged the principles of law and order and insisted on taking the law in their own hands.

Mr. Leibman discusses two concepts which he feels are creating problems in maintaining law and order. The first is the idea of "Freedom Now" which is being used to create a sense of haste in correcting past grievances against certain people in our society. Mr. Leibman says that "Freedom Now" is a cry for immediacy and that immediacy is impossible in a society of human beings. What is possible, he states, is to "continue to patiently build the structures that permit the development of better justice."

The second concept condemned by Mr. Leibman is that of premeditated, "righteous" civil disobedience. He feels that, even when the disobedience is nonviolent, it has no place in our law society. He believes that, when there is a specific intent to disobey the law, there is some doubt as to whether the disobedience can be called civil and not criminal. He also says that he feels that our society provides, more than any other, for orderly changes and that our law has not only been a guardian of freedom but also "the affirmative agent for freedom."

In rejecting the concept of civil disobedience, Mr. Leibman also states that, if it is fostered and permitted in the civil rights field, then it can be used to justify actions by other groups for other purposes. He points to the fact that civil disobedience could

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be used by individuals as their reason for publicizing Government military secrets to the detriment of national security and survival. Mr. Leibman also expresses concern for civil disobedience in that it can lead to mob action.

Mr. Leibman points to the Director as a symbol of the lawyer's obligation to protect the laws of society in accordance with its strict rules and urges lawyers that the Director's high standard of conduct is a reminder that the lawyer must serve in difficult areas involving controversy, prejudice, criticism, and personal attack. Mr. Leibman, in his concluding remarks, urges lawyers to improve their presentations of the basic issue of freedom under law and the continuing need to strive for equality and meaningful liberty and justice for all. He states that lawyers "must not tire of the challenge to extend freedom abroad or the challenge to make freedom a still greater reality at home."

over *WEL* *gmc* *SD*

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CIVIL DISOBEDIENCE -
A THREAT TO OUR LAW SOCIETY

By

Morris I. Leibman - Chicago, Illinois
Chairman, ABA Standing Committee on
Education Against Communism

American Bar Association Annual Meeting
Criminal Law Section
New York City - August 11, 1964

94-1-369-1925

ENCLOSURE

CIVIL DISOBEDIENCE
A THREAT TO OUR LAW SOCIETY

On a number of occasions in other forums I have suggested that there is a standard against which we should regularly test basic issues of foreign policy. That standard is the historical and continuous struggle of human beings for freedom and dignity. This must be our basis in confronting Khrushchev. We are right because the history of man proves it. Only the law society -- not Communism -- can discipline the cult of the personality. The law society -- not brute force -- is man's only hope.

Domestic issues, it seems to me, must also be measured against man's historic struggle for liberty. Here, too, the record establishes that the Communists will pervert with tactics of confusion, disruption and violence the rights of our law system.

The history of the advance of world Communism overwhelmingly provides the evidence that they will seize upon any situation approximating dissent for propaganda purposes, just as they will seize upon organized outbreaks to hasten their revolutionary objectives.

Woodrow Wilson once said:

"A nation which does not remember what is was yesterday, does not know what it is today, nor what it is trying to do. We are trying to do a futile thing if we do not know where we came from or what we have been about."

In seeking to improve tomorrow, it is our duty to remember where we have been and reflect on where we are.

We live in that instant of time when it can be said that never before have 190 million people enjoyed so many material goods however "imperfect" their distribution. Never before have 190 million people had as much mechanical, electronic and scientific equipment with which to subdue the natural obstacles of the universe. But the multiplication of consumer wealth is subordinate to our greatest accomplishment -- the fashioning of the law society.

Never in the history of mankind have so many lived so freely, so rightfully, so humanely. This open democratic republic is man's highest achievement -- not only for what it has already accomplished, but more importantly because it affords the greatest opportunity for orderly change and the realization of man's self-renewing aspirations. Our goals, as set forth in the Declaration, have been buttressed by a Constitution, a system of checks and balances, a mechanism judicial, legislative and executive which permits the continuation of western civilization's spirited dialogue. This unhampered dialogue makes possible the opportunity to continuously approximate, through our legislative and judicial system, our moral and spiritual goals.

The long history of man is one of pain and suffering, blood and tears to create these parameters for progress. This noble and unique experiment of ours, a hundred years ago, lived through the cruelty of a massive civil war to test whether such a unique system could endure. It did. It has. It will. Let us always remember that the law society is the pinnacle of man's struggle to date -- the foundation for his future hope.

There is an obligation to that law society. It was stated more than one hundred years ago by Abraham Lincoln in these passionate words:

"Let every American, every lover of liberty, every well-wisher to his prosperity, swear by the blood of the Revolution, never to violate in the least particular, the laws of the country. ... Let every man remember that to violate the law is to trample on the blood of his father and to tear the character of his own and his children's liberty. Let reverence for the laws be breathed by every American mother, to the lisping babe, that prattles on her lap -- let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in Almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and young, rich and poor, the grave and gay, of all sexes, tongues and colors and conditions, sacrifice unceasingly upon its altars."

No society whether free or tyrannical can give its citizens the "right" to break the law. There can be no law to which obedience is optional, no command to which the states attaches an "if you please."

What has happened to us? Why is it necessary, at this moment, in this forum to repeat what should be axiomatic and accepted? Many, many words more eloquent than mine have examined from every angle the genesis, the roots, the grievances, the despair, the bitterness, the emotion, the frustration that have resulted in the tragedies of these days.

Now what is the responsibility of a citizen -- the majestic title bestowed on those of us who create and share in the values of the law society? Let there be no question of where we stand on human rights and our rejection of discrimination. Surely the continuing social task for the morally sensitive citizen is to impart reality to the yet unachieved ideal of full and equal participation by all and in all our values and opportunities.

Yet we must remember that there have been no easy solutions for man's inhumanity to man. Justice Frankfurter once said:

"Only those lacking responsible humility will have a confident solution to problems as intractable as the frictions attributable to differences of color, race, or religion."

Let's not forget there is nothing new in violence. Violence has throughout mankind's history been too often a way of life. Whole continents have been involved in riot, rebellion and revolution. Human rights problems exist in India, in Asia, in the Middle East, and in Africa. A large part of the world lives behind the ugly iron and bamboo curtains of Communism.

We cannot sanction terror in New York or in Mississippi. Retaliation is not justified by bitterness or past disillusionment. No individual or group at any time, for any reason, has a right to exact self-determined retribution. All too often, retaliation injures the innocent at random and provokes counter-retaliation against those equally innocent. Our imperfections do not justify tearing down the structures which have given us our progress. The only solution, is the free and open law society. In times when man's progress seems painfully slow on any one issue, we might also consider how well we are doing on all issues compared to most areas of the world over most of the world's history.

In this frame of reference let us identify certain current forces whose aim is to destroy the law society.

The inexorable requirement of Communism to exploit every difference between men should now be clearly understood. Communism constantly exploits mankind's troubles ideologically, philosophically and psychologically. Yet we seem to be surprised, confused, even bitter about Communist intervention in our civil rights problems. What could be a more natural target for Communist usage? The Communist Party USA has a long history of attempting to infiltrate every segment of our society. The Negroes of America have a long history of resisting this subversion, but it would be foolish -- yes -- dangerous to believe that Communists would not seek to insert themselves where there is unreasoning and extreme militancy in any troubled area. This is no reflection on any segment of our society -- it is a recognition of the constant threat of trained troublemakers and rabble rousers aimed at all times against our entire society. The Communists know they can profit by stimulating agitation and disrespect for law and order. They would be neglectful of their own sinister doctrines if they did not use these instruments of subversion and violence.

Ethnological warfare, the inciting of dissension and conflict between nationalities and races, is a widely exploited revolutionary tactic. Communists have long been instructed to change passive attitudes to "activist" attitudes, to intensify the struggle at all levels at all times. To the Communist, all means are justified by the end, the basic concept that we of the law society reject. These Communists have their imitators, who mimic under many "theories" and many labels, doctrines which reject law and order. The Nazis, the Malcolm Xes, the Ku Klux Klanners have repeatedly and directly challenged our principles and insisted on taking "law" in their own hands. Those who reject our legal

methods and choose terror, force, violence, hate and bigotry only play into the hands of the international Communist conspiracy.

The jungle lawlessness of the frontier demonstrated to the pioneers that law was essential to the establishment of civilization. It was not the destruction of the buffalo, or the rise of fences, or fast draw gunmen that tamed the wilderness. It was the installation of American juridical proceedings that enabled our people to weld together the disparate territories destined to become an organic nation.

I am also deeply troubled by certain concepts which have sought acceptability: the idea of "Freedom Now" and the idea of "Righteous Civil Disobedience." In my opinion both terms are semantic traps and only add heat to the problems of freedom and justice for all. It is a further semantic trap to divide the discourse on civil disobedience into a stereotype of liberalism vs. conservatism.

"Freedom Now" is an illusion. The desire for self expression can be satisfied only in an atmosphere of freedom, and freedom is not absolute. It exists only within the confines of the necessary restraining measures of society.

I wish it were possible to have heaven on earth. I wish it were possible to have the ideals of justice and freedom in all their perfect form at this moment. The cry for immediacy is the cry for impossibility. It is a cry without memory or perspective. Immediacy is impossible in a society of human beings. What is possible is to continue to patiently build the structures that permit the development of better justice.

Let us also beware of pat phrases such as "justice delayed is justice denied." Justice delayed is no excuse for anti-justice or the destruction of

the law system. The fact that particular reforms have not been completely achieved does not justify rejecting legal means - the only hope for lasting achievement.

The demand for equality cannot be converted into a fight for superiority. We must be for equality under the rule of law. We are for freedom under law, not freedom against the law.

Let us also avoid unreal questions such as whether justice is more important than order or vice versa. Order is the sine quo non of the constitutional system if there is to be any possibility for long-term justice based on public consensus.

What about the concept of "righteous civil disobedience?" I take it that all men now accept the fact that there can be no justification for violent disobedience under our constitutional system. Is the concept validated when the disobedience is non-violent? In my opinion this idea has no place in our law society.

Parenthetically, I would suggest that you experts in criminal law consider whether there can be "civil" disobedience where there is a specific intent to disobey the law. Such a specific state of mind is ordinarily treated as the essence of criminality, hence not "civil." Therefore, it seems to me that there is an inherent contradiction in the concept of premeditated, "righteous", civil disobedience.

Yet I prefer to base the case on broader grounds. The concept of righteous civil disobedience, I think, is incompatible with the concept of the American legal system. This is particularly axiomatic where this society provides more than any other for orderly change; ✓

where every minority -- including the minority of one -- has been protected by a system of law which provides for orderly process for development and change. I cannot accept the right to disobey where as here the law is not static and where if it is claimed to be oppressive or coercive, many effective channels for change are constantly available. Our courts do not have to apologize for their continued dedication to the liberty of all men. Our legislatures have regularly met the changing times and changing needs of the society with consideration for the unalienable rights of all. Even the federal and state constitutions have been amended. Our law has not only been a guardian of freedom, but the affirmative agent for freedom.

While the idea of civil disobedience may evoke sympathy where the claim is made that the cause is just, once we accept such a doubtful doctrine we legitimize it for other causes which we might reject. We must be even more careful in the sympathetic case because, in effect, that sets the standard of conduct which then becomes acceptable for cases not as appealing or for groups not as responsible. Thus we substitute pressure for persuasion and squander the carefully nurtured value of self-restraint and jeopardize the system of law.

Let us not restrict our thinking to the area of civil rights. Think of the persons who feel they have the right to interfere with the launching of a Polaris submarine; think of the people who demand the right to sail into an area restricted for military testing; think of the people who feel, as some have in England, that they have the right to publicize their government's military secrets to the detriment of national security and survival.

The plain fact of human nature is that the organized disobedience of masses stirs up the primitive.

This has been true of a soccer crowd and a lynch mob. Psychologically and psychiatrically it is very clear that no man -- no matter how well intentioned -- can keep group passions in control.

Civil disobedience is an ad hoc device at best, and ad hoc measures in a law society are dangerous. Civil disobedience under these circumstances is at best deplorable and at worst destructive.

Specific disobedience breeds disrespect and promotes general disobedience. Our grievances must be settled in the courts and not in the streets. Muscle is no substitute for morality. Civil disobedience is negative where we require affirmative processes. We must insist that men use their minds and not their biceps. But while the emphasis must be on the three "Rs" of reason, responsibility, and respect, we cannot accept self-righteousness, complacency, and non-involvement. We reject hypocritical tokenism. We have an affirmative and daily duty to eliminate discrimination and provide opportunity -- full opportunity and meaningful equal justice for all our people.

Obedience and not disobedience is the requirement of law and the law must be obeyed by laborers and governors and especially lawyers.

I often think of J. Edgar Hoover as a symbol of the lawyers' obligation. His has been the difficult task to protect the law society, in accordance with its strict rules, against enemies within and without - the spy and the gangster - the saboteur and the kidnapper; the violators in New York and in Mississippi. Let his conduct remind us that the lawyer must serve in the tough, hard areas where our society rubs against complexity and controversy, and where prejudice, bigotry

and the emotions are the sharpest; where criticism and personal attack are certain from both sides. That is where we of the law have our primary obligation.

It is most appropriate here and now to re-emphasize our professional calling as lawyers. We must insist on the integrity of the means. We must support and protect the laws whether we agree with the particular statute or we don't. Freedom is not some easy gift of nature. The plant of liberty has not grown in profusion in the wilderness of human history. Liberty under law is a fragile flower. It must be nurtured anew by each generation of responsible citizenry. Let but a year of neglect be sanctioned, even celebrated, and the jungle of force threatens to recapture the untended garden. The lawyer must be in the forefront of this citizenry. We cannot settle for lip service to legality. We cannot be "sometime" lawyers.

In an era of social, political and scientific revolutions -- and at a time of accelerating and complex change -- we of the law must particularly renew our understanding and improve our articulation of the basic issue of freedom under law and the continuing need to strive for equality and meaningful liberty and justice for all. Our will and determination are being tested as never before.

We must not tire of the challenge to extend freedom abroad or the challenge to make freedom a still greater reality at home.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

FROM : Mr. R. W. Smith

SUBJECT: DEMOCRACY CONFRONTS
COMMUNISM IN WORLD AFFAIRS"
SYLLABUS AND GUIDE FOR
TEACHER WORKSHOPS AND SEMINARS
AMERICAN BAR ASSOCIATION
CENTRAL RESEARCH MATTER

1 - Mr. Belmont
1 - Mr. Mohr

DATE: October 23, 1964

1 - Mr. DeLoach
1 - Mr. H.L. Edwards
1 - Mr. Sullivan
1 - Mr. R.W. Smith
1 -
1 - Mr. Garner
1 - Mr. J.M. Sizoo

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Captioned syllabus is being prepared for the Standing Committee on Education Against Communism of the American Bar Association (ABA), whose Chairman is Morris I. Leibman. Inspector H. L. Edwards is the Bureau's representative on that Committee. The syllabus is being prepared by the Institute of International Studies, University of South Carolina. A provisional draft of the syllabus was furnished the Bureau in May, 1963, by Mr. Leibman, and pursuant to the Director's letter of May 21, 1963, to Mr. Leibman offering assistance, the syllabus was reviewed by the Research-Satellite Section. Suggestions for improvement of the syllabus were furnished to Mr. Leibman.

A tentative final draft of the syllabus has been completed and furnished to the Bureau through the Standing Committee on Education Against Communism. Attached hereto is a revised version of Topic 3, Unit V of the syllabus prepared after review by the Research-Satellite Section. The changes suggested for Topic 3, Unit V, are for the assistance of the Standing Committee and for possible inclusion in the syllabus to be published by the Standing Committee. The suggestions, of course, will not be attributed to the FBI.

Also attached hereto is material, as requested by the Standing Committee, concerning the Smith Act of 1940 and the Internal Security Act of 1950, which includes both the elements of violation and the prosecutive efforts and results under the two Acts. This information has been prepared for assistance and possible inclusion in the syllabus and will not be attributed to the FBI.

RECOMMENDATION:

That, if approved, the above-attached material be routed to Inspector Edwards for transmittal to the Standing Committee on Education Against Communism of the ABA.

Enclosures

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UNIT V

TOPIC 3

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. H.L. Edwards
1 - Mr. Sullivan
1 - Mr. R.W. Smith
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1 - Mr. Garner 1 - Mr. J.M. Sizoo

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COMMUNIST ATTEMPTS AT SUBVERSION IN THE UNITED STATES

A. Topic Introduction

We know from familiar examples, such as the communist take-over of Czechoslovakia in 1948, from communist defectors, and from the protective work of our own Government agencies that the communist goal is the seizure of power by any and all means. Since the United States is the principal deterrent to further communist expansion, our Nation is a primary target for communist espionage and subversion. For this reason, the record of the Communist Party, USA, must be studied in order to place it in its proper perspective in American political life. There is good reason to believe that the internal counterespionage and counter-subversive efforts of our Government agencies, particularly the FBI, have been highly effective. Nevertheless, it is necessary that we appraise the nature and true dimensions of the threat posed by the communist movement to our security as well as the efforts required for and devoted to combatting it. ✓

Inspired by the success of the Bolshevik Revolution in Russia, the Communist Party in the United States was organized in 1919. Internal dissension broke out as various individuals struggled for control of the communist movement in this country, and the differing factions did not unite

until 1921, under pressure from the Soviet-controlled Comintern. Ostensibly a

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Note: See cover memo R.W. Smith to W.C. Sullivan, Re: "DEMOCRACY CONFRONTS COMMUNISM IN WORLD AFFAIRS" SYLLABUS AND GUIDE FOR TEACHER WORKSHOPS AND SEMINARS, AMERICAN BAR ASSOCIATION, dated 10/23/64, prepared by JMS:jwh.

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fraternal association of communist parties throughout the world, the Comintern had been organized in Moscow in 1919 to promote the world communist revolution and to bring all communist parties under strict Soviet control. Comintern representatives were dispatched to the United States from the Soviet Union as early as 1920 and, for years, played a dominant role in directing communist activities here. On Comintern orders, the Party, which had been operating largely underground from shortly after its organization until 1924, established an "open" organization. Comintern instructions and Soviet financial assistance were responsible for the establishment of the Party's newspaper, the Daily Worker, in 1924, and American communist leaders visited Moscow regularly for guidance and instruction. The internal struggles for power within the Soviet Union were reflected in bitter factional disputes within the outwardly united American Communist Party, and these continued until 1929 when Stalin appointed Earl Browder and William Z. Foster whose subservience could be depended upon as the leaders of the communist movement in the United States.

The Party's entrance on the stage of American life was characterized by defiant militancy. It openly proclaimed its revolutionary goals and, boring from within, fomented economic and social unrest. As a result of its militant tactics, the Party soon developed into a closely knit, strictly disciplined, tightly organized, and highly flexible group, and assumed the rigid dogmatic, intolerant form which has characterized it down to the present time.

In 1935, the Soviet Union, concerned over the threat to its own security from the Fascist regimes in Germany and Italy, decreed that all communist parties should adopt a united front against fascism. Using the "Trojan horse" technique, the Communist Party, USA, discontinued the open advocacy of its revolutionary program and, instead, appealed to noncommunists to ignore the basic differences between democracy and communism in order to unite against the common fascist enemy. By exploiting the legitimate issue of the threat of fascism, the Communist Party, USA, was able to cloak itself with a mantle of respectability and to masquerade as a legitimate political party. By the late 1930's, the Party had successfully infiltrated the mainstream of American life through countless front groups ostensibly formed to meet the threat of fascism but actually controlled and manipulated by the communists for their own purposes. During this period, Party propaganda went so far as to proclaim that communism was "20th century Americanism." Yet, even when it was purportedly cooperating with our Government, the Party did not neglect its obligations to the Soviet Union. Approximately 1,500 Party members took part in the Spanish Civil War (1936-1939) to further the aims of the international communist movement.

Perhaps the most striking communist success during this period occurred in the labor movement. By infiltrating into the newly formed Congress of Industrial Organizations(CIO) during the 1930's, the Party laid the groundwork for its eventual control of 11 unions, some of them in our basic industries.

When these unions were expelled by the CIO during 1949 and 1950 because of their communist domination, they had a combined membership of over 700,000, the majority of whom were noncommunists. At the present time, American labor organizations, working through international contacts overseas, are carrying out an effective campaign against communists in the world labor movement. In addition, American labor leaders have been among the most vigorous in exposing communists in the United States.

The signing of the nonaggression pact by the Soviet Union and Nazi Germany in 1939 caused a major change in the tactics of all communist parties. Once the Communist Party, USA, recovered from its initial shock, it reversed its policy of ostensibly cooperating with our Government. With the Soviet Union and Nazi Germany allied, Party propaganda ignored the threat of fascism. When World War II broke out in Europe shortly after the signing of the pact, the Party described it as an "imperialist" war in which the United States had no interest and condemned the Allies as aggressors. The Party delayed our defense preparations and obstructed our assistance to the democratic nations of Western Europe by instigating or supporting strikes in our basic industries. The major propaganda slogan of the Party during this period was "The Yanks Are Not Coming."

In November, 1940, the Party held an emergency convention at which it severed its affiliation with the Comintern. When it did so, however, the Party made it explicitly clear that its disaffiliation was motivated solely because of the Voorhis Act, which required that any organization in the United States which engaged in political activity and which was subject to foreign control would be required to register with the Attorney General.

The Nazi invasion of the Soviet Union in June, 1941, caused another major reversal of communist tactics. World War II, formerly an "imperialist war," became a "just" war, and, when the United States entered the war following Pearl Harbor, the communists became "superpatriots," subordinating all considerations to the cause of victory--not to preserve freedom but to insure the future of the Soviet motherland.

In 1943, when the Soviet Union was still in desperate need of military assistance, the Comintern was dissolved as a tactical gesture of cooperation with the Allies. Its dissolution, together with indications of wartime unanimity between the Soviet Union and its noncommunist allies, apparently led Earl Browder, then the Party's general secretary, to propose that the Party dissolve itself and organize, in its place, a political action group. His recommendation was adopted in 1944, and the Communist Political Association was formed, pledging to cooperate with the foreign and domestic policies of the United States.

In April 1945, when it was becoming evident that the war in Europe was drawing to a close, the French communist leader, Jacques Duclos, wrote an article which was highly critical of the dissolution of the Communist Party, USA, and which urged the Party to reconsider its action. In July, 1945, the Communist Political Association dissolved itself and reconstituted itself as the Communist Party, USA. Browder was subsequently expelled from the Party for his "revisionism," and, with Moscow's blessing, William Z. Foster assumed the leadership of the American communist movement.

Since the end of World War II, the Party has attempted to defeat every measure--political, economic, and military--which our Nation has taken to strengthen itself and its allies against the threat of further communist aggression. At the same time, the Party has hailed the expansion of the communist empire and has attempted to justify the suppression of the anticommunist uprisings in East Germany, Hungary, Poland, and Tibet.

Eleven of the Party's national leaders were brought to trial in 1949 for conspiring to violate the Smith Act which, in brief, prohibits the teaching or advocacy of overthrowing the United States Government by force and violence. They were found guilty, after a trial which lasted nine months, and their convictions were upheld by the Supreme Court in 1951. True to its conspiratorial nature, the Party began to expand its underground apparatus in 1948, and, when the convictions were upheld, its careful planning enabled it to switch quickly to a largely underground operation. During this period, Party leaders left their homes, jobs, and families and moved to different localities. Clandestine communications networks were used; underground printing facilities were activated; and the strictest security precautions were observed. The Party continued in an expanded underground status until the latter part of 1955, when, once again, it began to conduct the major portion of its activities openly. By then, the Party leaders who had been imprisoned for violating the Smith Act had completed their sentences and were returning to Party activity.

The feeling of guarded optimism which then prevailed in the Party proved premature because a factional dispute arose in 1956 over the Party's postwar tactics and future plans. Moscow threw its support to the strongly pro-Soviet faction in the dispute as such authoritative Soviet publications as Pravda and Kommunist assailed the proposal to transform the Party into a political action organization. At the Party's 16th national convention in 1957, a letter was read from Jacques Duclos; who had intervened so decisively in 1945. Duclos warned against any revisionist tendencies, and when the proposal to dissolve the Party was resoundingly defeated, Pravda hailed the defeat of what it termed the "reactionary forces" in the Communist Party, USA. In December, 1959, with its morale high after Khrushchev's first visit to the United States, the Party's 17th national convention reconciled the factional dispute and welded the Party into a more solidly unified, militant organization led by its new general secretary; Moscow-trained Gus Hall. Under Hall's vigorous leadership, there has been a resurgence in all phases of Party activity with particular emphasis on recruiting new members, especially from American youth; promoting the circulation of the Party's publications; expanding the Party's internal educational program; and recapturing the Party's former influence in our basic industries and among racial and national minority groups.

The Party's current emphasis on youth led it to form a speakers' bureau in October, 1961. Since then, this bureau has been soliciting invitations for Party representatives to address student audiences on our college campuses

each year throughout the country. In addition, in June, 1964, the Party organized a new front group, the W. E. B. Du Bois Clubs, designed to appeal to American youth.

The current legal action against the Party is being taken under the provisions of the Internal Security Act of 1950, frequently referred to as the McCarran Act. While it does not outlaw the Party, it imposes a number of restrictions on the Party's activities. The most important of these are that the Party must register with the Attorney General and register its members, must make a periodic accounting of its funds, and must label all of its propaganda as communist issued. After an extended hearing and eight years of judicial proceedings, the Party was indicted in December, 1961, for failing to register. At a trial held in Washington, D. C., in December, 1962, the Party was found guilty, but this conviction was reversed in December, 1963, when the Court of Appeals upheld the Party's contention that it could find no one who could register it without incriminating himself, i. e., without exposing himself to possible prosecution under certain provisions of the Internal Security Act of 1950 as well as other criminal statutes. The petition of the Government requesting the Supreme Court to review this decision was denied in June, 1964, and a retrial of the case is now under consideration. The Party has been considerably encouraged by these decisions and is now cautiously optimistic that they mark the beginning of the end of a successful 14-year struggle to nullify this legislation.

As a small disciplined organization, the Party conducts much of its activities through a wide variety of front organizations. A communist front group is one which is created or infiltrated by the communists and is dominated and controlled by them--either openly or covertly--to such an extent and in such a deceptive manner that noncommunists are exploited to promote communist aims. J. Edgar Hoover's Masters of Deceit treats in considerable detail the manner in which communists manipulate front groups.

In addition to the work of the FBI in combatting communism, congressional committees have performed an important service in calling to public attention the manner in which many well-meaning individuals have been unwittingly duped by front groups. Congressional committee hearings regarding the Fair Play for Cuba Committee, for example, revealed not only communist affiliations of its leaders but also the fact that it was being financed by the Castro regime. That many Americans of unquestioned integrity would otherwise have been enlisted to support the Fair Play for Cuba Committee is an example of the effectiveness of communist front group activity. It also emphasizes the importance of alerting the American public to the necessity of examining the credentials of any organization to which they lend their names and support. As the Special Committee on Communist Tactics, Strategy and Objectives of the American Bar Association pointed out in its report of August, 1960:

"Communists exercise great pains to hide the communist origin and character of their fronts. Fronts are given highly innocuous, idealistic, or patriotic names to conceal the true reason for their existence. To give an aura of

legitimacy and respectability, communists resort to the familiar practice of exploiting prominent persons. An impressive list of notable and distinguished persons is compiled to serve as window dressing for a front. Communists know that the names of scientists, educators, writers, clergymen, and other well-known individuals associated with a communist front can have a favorable effect on the unsuspecting."

Counterespionage and countersubversive activities are the responsibility of the FBI. The Bureau's record in this field is excellent, and its agents are trained professionals who know their business. While the exposure of communism is the duty of all citizens, it must be done responsibly. Many amateur anti-communists not only have been ineffective in their "shotgun" approach, but, over the years, have made ridiculous charges which have done more harm than good. While there can be no question that naivete and ignorance have frequently aided communist aims in the United States, there can equally be no question that irresponsible charges questioning motives of those with whom we disagree or sowing suspicion that rips the fabric of our free society equally aid communist aims. As Mr. J. Edgar Hoover has warned:

"Today far too many self-styled experts on communism are plying the highways of America giving erroneous and distorted information. This causes hysteria, false alarms, misplaced apprehension by many of our citizens. We need enlightenment about communism--but this information must be factual, accurate, and not tailored to echo personal idiosyncrasies."

Mr. Hoover has also pointed out, in an address on December 4, 1963, that foremost in the campaign to divide and weaken America "are the Party's efforts to exploit misunderstandings and capitalize upon areas of dissension and

unrest wherever they exist." The Party will, therefore, attempt to penetrate any movement which holds potential for dividing Americans or any organization or drive which promises results for which the American communists wish to claim some credit.

The one, inescapable conclusion which must be drawn from this brief summary of the highlights of the history of the Communist Party, USA, is that the Party is a direct and willing adjunct of Soviet policy. Since its organization in 1919, the Party has formulated its policies and altered its tactics either on the basis of specific Soviet instructions or as the result of an automatic reflex action in defense of the Soviet Union regardless of the effect on its own fortunes.

Because the Communist Party, USA, offers its allegiance to the Soviet Union, because it is an inherently conspiratorial organization, because it is dedicated to the overthrow of our Government by force and violence, and because it is the arm of the powerful international communist movement within the United States--the major deterrent to further communist aggression--the Party is, and will continue to be, a threat to the security of the Nation.

1 - Mr. Belmont
 1 - Mr. Mohr
 1 - Mr. DeLoach
 1 - Mr. H.L. Edwards
 1 - Mr. Sullivan
 1 - Mr. R.W. Smith
 1 -

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PROSECUTIONS UNDER SMITH ACT OF 1940

A. Provisions of the Smith Act

1 - Mr. Garner
 1 - Mr. J.M. Sizoo

The Smith Act of 1940 proscribes (1) knowingly or willfully advocating or teaching the overthrow of Government by force or violence; (2) publishing or circulating written or printed material with intent to cause such overthrow; (3) attempting to organize a group of persons who teach, advocate or encourage such overthrow and (4) becoming a member of an organization with knowledge that the organization advocates such overthrow. The penalty for conviction carries a fine of not more than \$20,000 and/or imprisonment for not more than 20 years.

B. Prosecutions to Date

(1) Conspiracy Cases

During the period from 1949 to 1956, 104 leaders of the Communist Party, USA (CPUSA), were convicted of conspiring to organize, as the CPUSA, a group of persons who teach and advocate violent overthrow of the United States Government and of conspiring to teach and advocate such violent overthrow. Only 29 defendants, however, actually served prison sentences. On June 7, 1957, the United States Supreme Court, in a decision

in the Los Angeles Smith Act conspiracy case, held that since

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 (11) IN WORLD AFFAIRS" SYLLABUS AND GUIDE FOR TEACHER WORKSHOPS AND SEMINARS, AMERICAN BAR ASSOCIATION, dated 10/23/64, prepared by JMS: jwh.

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94-1-369-1926

ENCLOSURE

the CPUSA was organized in 1945, any indictment returned subsequent to 1948 which charged the defendants with organizing the CPUSA was void under the Statute of Limitations. The decision further held that the Government had failed to establish that the teaching and advocating of violent overthrow of the Government by the defendants went beyond the "abstract theory" stage and actually "incited to action."

As a result of this Supreme Court decision, most of the defendants who had been convicted for conspiracy to violate the Smith Act were either acquitted or ordered retried. The indictments against most of the defendants who were ordered retried were subsequently dismissed by the Government since available evidence did not meet the standards set by the court relative to "incitement to action."

On June 19, 1962, Public Law 87-486 was enacted which amended the Smith Act by defining the term "organize" to include the recruiting of new members, the forming of new units and the regrouping or expansion of existing clubs, classes or other units. While this amendment clarified congressional intent as to the meaning of the word "organize" and thus cured one aspect of the 1957 Supreme Court decision, the Smith Act continued to be ineffective since it is still

necessary to establish that the advocating and teaching by the defendants of violent overthrow of the United States Government is of the type which "incites to action."

Only one conspiracy case involving six defendants was retried following the June 7, 1957, Supreme Court decision and a conviction was again obtained in the lower court. On May 31, 1961, however, the conviction was again reversed due to a procedural error by the trial judge. A decision as to whether this case shall be tried for the third time has not been reached by the Government.

(2) Membership Cases

In addition to the 104 leaders of the Communist Party, USA, who were convicted for conspiracy to violate the Smith Act, five additional Party leaders have been convicted for violating the membership provision of the Act. Only one defendant served a prison sentence. On June 5, 1961, the Supreme Court handed down two decisions which materially affected the membership provision of the Smith Act. In upholding the conviction of Junius Scales and reversing the conviction of John Francis Noto, the court held that to sustain a conviction under the membership provision of the Smith Act, the Government must not only prove that the defendant is an "active" and "knowing" member of an organization which advocates the violent overthrow

file

of the Government, but must also prove specific intent by the defendant to accomplish the aim of the organization as speedily as circumstances will permit. The remaining convictions were reversed and all other indictments under the membership provision have been dismissed at the request of the Government.

1 - Mr. Belmont
 1 - Mr. Mohr
 1 - Mr. DeLoach
 1 - Mr. H.L. Edwards
 1 - Mr. Sullivan
 1 - Mr. R.W. Smith
 1 -
 1 - Mr. Garner

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INTERNAL SECURITY ACT OF 1950

1 - Mr. J.M. Sizoo

On June 5, 1961, after more than 10 years of hearings and judicial review, the United States Supreme Court upheld the constitutionality of the registration provision of the Internal Security Act of 1950. The court held that the Subversive Activities Control Board (SACB) had properly found the CPUSA to be a communist-action organization in that it was substantially directed, dominated and controlled by the Soviet Union and operated primarily to advance the objectives of the Soviet Union. Accordingly, the Court ordered the CPUSA to register with the Attorney General. The registration consists of identifying Party officers and members, accounting for Party finances and listing Party printing establishment

On October 20, 1961, the registration order became final, but the November 20, 1961, deadline for the Party as an organization to register with the Attorney General passed with compliance. The obligation then fell upon certain designated Party officers to register for the Party. The November 30, 1961, deadline for these officers to register for the Party also passed without compliance. Since neither the Party nor

Tolson _____ its officers had registered, the obligation then fell upon
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 DeLoach _____ each individual Party member to register himself. The
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 December 20, 1961, deadline for this registration likewise
 passed without compliance.

94-1-369-1926

NOTE: See cover memo R.W. Smith to W.C. Sullivan re: "DEMOC-
 (11) RACY CONFRONTS COMMUNISM IN WORLD AFFAIRS", prepared by
 JMS:jwh, dated 10/23/64.

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ENCLOSURE

A. Prosecutive Action Against the Communist Party, USA,
As An Organization

On December 1, 1961, a twelve-count indictment, based upon evidence developed and witnesses supplied by the FBI, was returned by a Federal grand jury in Washington, D. C., charging the CPUSA with failing to register as a communist-action organization. The case went to trial in the United States District Court, Washington, D. C., on December 11, 1962, and, on December 17, 1962, a verdict of guilty was returned as to each count. The trial judge immediately imposed the maximum fine of \$120,000 and notice of appeal was filed in the Court of Appeals for the District of Columbia. The appeal was argued on June 25, 1963, and on December 17, 1963, the Court of Appeals reversed the decision of the District Court on the grounds that the 5th Amendment privilege against self-incrimination was available to the officers of the Party as legal justification for refusing to sign the registration forms.

The Court of Appeals further held that the burden of proof rested with the Government to establish that "someone" was willing to sign the registration forms on the Party's behalf. The Court held that if the

Government could produce such a "volunteer" the case could be retried in the District Court. Otherwise, the indictment should be dismissed. On January 21, 1964, the Government filed a petition with the Court of Appeals requesting that Court to rehear the matter sitting en banc. The Court of Appeals on February 21, 1964, denied the Government's petition and on June 8, 1964, the United States Supreme Court denied the Government's petition to review the Court of Appeals decision. The Government is presently considering whether to retry the case in the United States District Court.

B. Prosecution of Officers

On March 15, 1962, individual six-count indictments were returned against Gus Hall, General Secretary of the CPUSA, and Benjamin J. Davis, Jr., the Party's National Secretary, charging Hall and Davis with failure to register for the Party and with failure to file the registration statement. The maximum penalty for conviction on each count is up to five years' imprisonment and/or up to a \$10,000 fine. On September 25, 1963, the United States District Court, Washington, D. C., ordered the trials of Hall and Davis consolidated and then postponed hearing on motions to dismiss the indictments and setting of a trial date pending final adjudication of the

registration case against the Communist Party as an organization. On August 22, 1964, Benjamin J. Davis, Jr., died and on October 9, 1964, the Government moved to dismiss the indictment against him.

C. Prosecution of Communist Party Members

Since May 31, 1962, the Attorney General has petitioned the Subversive Activities Control Board to order 27 members of the National Committee, CPUSA, and 17 additional Party officials on a lower level to register as Communist Party members under Section 8 of the Act. Thirty-seven of these individuals have been afforded hearings before the Board during which evidence of Party membership was adduced from FBI informants and other witnesses supplied by the FBI and 33 have been ordered to register. The remaining 4 cases are under consideration by the Board and hearings are pending in seven cases.

Two of the membership cases involving Roscoe Quincy Proctor and William Albertson have been consolidated for purposes of appeal, and Government and defense counsel have agreed they will be bound in 25 additional cases in which registration orders have been issued, by the appellate decision in the consolidated Proctor and Albertson cases. These cases were argued before the District of

Columbia Court of Appeals on October 28, 1963, and on April 23, 1964, the Court of Appeals upheld the registration order issued by the Subversive Activities Control Board. On July 13, 1964, counsel for Albertson and Proctor petitioned the Supreme Court to review the April 23, 1964, decision of the District of Columbia Court of Appeals. The Supreme Court has not, as yet, ruled on this petition.

D. Sanctions Imposed by the Internal Security Act of 1950

In addition to the registration requirements, the Internal Security Act of 1950 provides several sanctions against members of a communist-action organization which has registered or against which there is outstanding a final registration order. Thus, these sanctions became effective against members of the Communist Party, USA, on October 20, 1961.

(1) Passport Sanction

Section 6 of the Act proscribes members of the Communist Party, USA, from applying for, using, or attempting to use a United States passport. A violation is punishable by a prison sentence of up to 5 years or a fine not to exceed \$10,000. When

this sanction became effective, CPUSA National Committee member Herbert Aptheker, and CPUSA National Chairman Elizabeth Gurley Flynn, now deceased, held valid passports. The Secretary of State, after hearings before a State Department Passport Board at which evidence was presented by a witness supplied by the FBI, ordered their passports revoked. Flynn and Aptheker filed a civil action to enjoin the revocation of their passports and after a ruling by the District of Columbia Court of Appeals which was favorable to the Government, the United States Supreme Court on June 22, 1964, held that Section 6 of the Act was unconstitutional on its face. The Court ruled that the right to travel is protected by the due process clause of the 5th Amendment and that the passport sanction "sweeps too broadly and indiscriminately over this liberty."

The effect of the Supreme Court decision is that there is no longer any restriction on the issuance of passports to the CPUSA and the Department has declined prosecution in approximately 75 cases which had been referred as possible violations of Section 6. Two

indictments previously obtained by the Government for violation of the passport sanction will undoubtedly be dismissed when appropriate motions are filed by defense counsel.

(2) Defense Employment Sanction

Section 5 of the Act provides that seeking, accepting or holding employment in a defense facility so designated by the Secretary of Defense, by a member of the Communist Party, USA, is punishable by a prison sentence of up to five years and/or a fine not to exceed \$10,000. This sanction became effective at the time the individual plants were designated and posted by the Department of Defense.

On May 21, 1963, Eugene Frank Robel of Seattle, Washington, was indicted for violation of Section 5 of the Act. Robel is presently at liberty on bond awaiting trial. The Supreme Court decision in the Elizabeth Gurley Flynn and Herbert Eugene Aptheker cases, mentioned above, and the recent decision of the 9th Circuit Court of Appeals in a case involving a violation of Section 504 of the Labor-Management Reporting and Disclosure Act of 1959 will have a definite bearing on whether or not the Robel case ever goes to trial.

(3) Labeling Provision

Section 10 of the Act, which became effective on October 20, 1961, prohibits the transmittal in interstate or foreign commerce of any document or publication of the Communist Party, USA, unless it bears the label "Disseminated by the Communist Party, USA, a communist organization." Radio and television programs must also be so designated. A violation by the Communist Party of Section 10 carries a \$10,000 fine and a violation of this section by an individual is punishable by a prison sentence of up to five years and/or a fine not to exceed \$10,000. To date, Party publications have not complied with the specific terms of the labeling provision, although "Political Affairs" now characterizes itself as the "theoretical organ of the Communist Party, USA."

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gale

DATE: September 30, 1964

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION ADD. DISSEMINATION
CRIMINAL LAW SECTION COMMITTEE APPOINTMENTS

SEE REVERSE SIDE FOR

To: _____
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Callahan _____
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The newly elected Chairman of the Section of Criminal Law of the American Bar Association is Brigadier General Kenneth J. Hodson of the Office of the Judge Advocate General of the Army. He is well known to me, very cooperative and Bureau files are favorable.

He has asked me to serve as Chairman of the Section's Committee on Police Selection and Training. This is successor to last year's Committee on Law Enforcement Training, of which I was Chairman. The reason for the change in Committee name was to make the name more descriptive of the scope of the Committee's functions so that it would be able to work closely with the Advisory Committee on Police, which is one of the subcommittees being set up to formulate minimum standards for the administration of criminal justice. The parent committee is the American Bar Association's newly created Special Committee on Minimum Standards of Criminal Justice, under the chairmanship of Chief Judge J. Edward Lumbard of the U. S. Court of Appeals, New York City. The Director has previously indicated approval for me to work with this Committee's study through my liaison with the American Bar Association.

General Hodson has also advised me that he has appointed Special Agent Dwight J. Dalbey of the Legal Research Desk, Training Division, as Chairman of the Criminal Law Section's Committee on Capital Punishment. This is one of the numerous committees set up in the Criminal Law Section. The primary purpose of a committee like the one on capital punishment is to insure that there is some individual who is willing to undertake the responsibility of keeping alert to developments in the area covered by the committee and submit informative reports to the Section, usually at annual meeting time. The Capital Punishment Committee has usually consisted only of the Chairman, unless the Chairman wishes to appoint other members. In other words, it is what is called a "watchdog" or "monitor" type of committee.

Inasmuch as the Bureau keeps close tabs on developments in the field of capital punishment in the normal course of business, and in view of the fact that it would be most desirable to have someone monitor this subject who has a proper

1 - Mr. Casper
1 - Mr. DeLoach

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Re: ABA Criminal Law Section Committee Appointments

Unless advised to the contrary, Hodson's appointment of Dalbey and me will be accepted.

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For information.

- 2 -

LAW OFFICES OF
EISENHOWER AND CARLSON
PUGET SOUND BANK BUILDING
TACOMA, WASHINGTON 98402

EDGAR N. EISENHOWER
REUBEN C. CARLSON
C. JOHN NEWLANDS
CHARLES D. HUNTER, JR.
JOHN J. REHA, JR.
PAUL SINNITT
MERTON ELLIOTT
JAMES F. HENRIOT
HERBERT H. KAISER, JR.

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Evans
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

November 16, 1964

Mr. J. Edgar Hoover
Director
United States Department of Justice
Federal Bureau of Investigation
Washington, D.C.
20025

Dear Edgar:

The Fellows is a part of the American Bar Foundation which is engaged in research of certain phases of the law, one of which is the criminal branch.

The Fellows are meeting for its mid-year convention in New Orleans, February 6th. They are looking for an interesting speaker for that occasion.

 Chairman of the Fellows, is a good friend of mine and I told him that he could not find a more interesting speaker anywhere in the country than you.

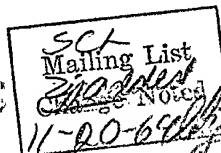
I tried to call you a minute ago and found you were out, hence this letter.

 will be calling you or writing you at my request and I hope you will give him a favorable reply to his invitation for you to speak at that meeting.

I do not know what financial arrangements the society may offer you, but I am sure they will pick up all of your expenses and maybe give you something else if you request it.

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Mr. J. Edgar Hoover
Page Two
November 16, 1964

I am tentatively arranging to be in New Orleans at that time and if so, I am hoping for an opportunity to visit with you.

Cordially yours,

A handwritten signature in dark ink, appearing to be 'Ed', written in a cursive style.

E. N. EISENHOWER

ENE:pp

November 20, 1964

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Honorable Edgar N. Eisenhower
Eisenhower and Carlson
Eleventh Floor
Puget Sound Bank Building
Tacoma, Washington 98402

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FBI
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Dear Edgar: ~~EISENHOWER~~ E. N. EISENHOWER

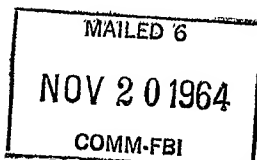
I received your letter of November 16th and also received a communication of the same date from Honorable [redacted] inviting me to address the February 6th meeting of the Fellows of the American Bar Foundation. I want to thank you for your interest in having me fill this engagement.

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While I wish it were possible to accept this kind invitation and would enjoy speaking at that meeting, a prior commitment already confirmed precludes my having that pleasure. I regret I am unable to accede to your request but trust you understand.

Sincerely,

Edgar



NOTE: Mr. Eisenhower is on the Special Correspondents' List.
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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

FROM : R. W. Smith

SUBJECT: CAMPUS APPEARANCES OF
COMMUNIST PARTY OFFICIALS
RESEARCH SATELLITE MATTER

DATE: 12/24/64

1-Mr. Belmont
1-Mr. Sullivan
1-Mr. H. L. Edwards

1-Mr. R. W. Smith

1-Mr. Garner

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On 12/23/64 Admiral William C. Mott, retired, called concerning the pamphlet which the American Bar Association's (ABA) Standing Committee on Education Against Communism has been preparing concerning the appearances of Communist Party officials on college campuses. As you will recall, we assisted the Committee in furnishing background data and information for possible inclusion in this pamphlet. Admiral Mott stated that his call was prompted by a letter he had just received from Lewis F. Powell, Jr., President, ABA, urging an early completion and release of the pamphlet, which pamphlet has been the responsibility of Admiral Mott.

Admiral Mott stated that in his opinion the pamphlet needed some modification in view of the Khrushchev ouster and should be brought up to date to include some of the Director's published information concerning the W. E. B. DuBois Club. It is noted that information concerning the DuBois Club appears in the 1964 FBI Annual Report.

Admiral Mott was not certain as to the action the Committee would take concerning modification since he had not as yet contacted the chairman or other Committee members but, since we had previously furnished assistance, he was interested in determining whether we might still be in a position to afford the same type assistance, if necessary. Admiral Mott indicated that after he contacted Mr. Morris I. Leibman, Committee chairman, and others, he would recontact the FBI for any possible assistance needed.

No commitment was made to Admiral Mott; however, it appears that the Committee's work in this area is a real contribution in alerting the American public to the dangers of the communist efforts on American campuses. It is believed that assistance commensurate with our responsibilities should be given to the Committee. Of course, as in the past, the FBI's assistance would not be disclosed.

RECOMMENDATION:

That we continue to offer such assistance as possible to the Committee.

BLH:ssh
(7)

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UNITED STATES GOVERNMENT

Memorandum

- 1 - Mr. Sullivan
- 1 - H. L. Edwards
- 1 - R. W. Smith
- 1 - [REDACTED]

DATE: 1-7-65

- 1 - Research-Satellite Section

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TO : W. C. Sullivan

FROM : R. W. Smith

SUBJECT: INQUIRY FROM THE NATIONAL STRATEGY
INFORMATION CENTER, INC.
JANUARY 5, 1965

AMERICAN BAR ASSOCIATION

By letter dated January 5, 1965, copy attached, Mr. [REDACTED] of the National Strategy Information Center (NSIC), of New York City, inquired as to the feasibility of having the FBI handle referral letters which the NSIC has been receiving concerning a recent Reader's Digest article, "How the Reds Make a Riot." He explained that the NSIC was mentioned in this article as having actual experience in this particular field. He added that as a matter of fact the NSIC does not have such experience, and only acts as a clearing house for articles and sources concerning communism and related matters.

On January 7, 1965, pursuant to your instructions, Mr. Atterbury was contacted and advised that it would not be feasible for the FBI to handle such referral letters. It was also pointed out to him that conceivably individuals writing to NSIC would have possibly already written to the FBI with a similar request.

RECOMMENDATION:

For information.

Enclosure

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NATIONAL STRATEGY INFORMATION CENTER, INC.

121 EAST 71ST STREET
NEW YORK, NEW YORK 10021
AREA CODE 212 UN 1-8260

FRANK R. BARNETT
PRESIDENT

5 January 1965

[REDACTED]
Bureau Supervisor
Federal Bureau of Investigation
Pennsylvania Avenue at 9th Street
Washington 25, D.C.

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Dear [REDACTED]

As you may have noticed, the current (January) Reader's Digest includes an article (copy enclosed) entitled, "How the Reds Make a Riot." At page 69 the article mentions the National Strategy Information Center as a source of additional information on this topic.

The fact is that the reference to NSIC in this context was made without our previous knowledge. We never seek this kind of "publicity"--nor do we claim to offer expert information of our own on any aspect of the cold war. Our function is merely to provide references to the work of specialized scholars and institutes concerned with the broad subject of strategy.

Above all we claim no insights into the especially sensitive specialty of controlling Communist agitation and subversive fomenting of civil strife--which is obviously within the expertise of police and investigative agencies, primarily yours.

However, as a result of the article (which you will note refers also to the ABA Committee on Education Against Communism), we are daily receiving dozens of letters and post cards requesting further information. We hear that the same thing is happening at ABA headquarters.

This public response, while uninvited and misdirected, indicates to us the existence of considerable nervous tension across the country about the ugliest implications of rising civil disorder. We feel, and hope the Bureau will agree, that it is imperative to give these writers some rational and "calming" reply--rather than let them feel ignored or rebuffed in any way that would tend to aggravate suspicion and frustration.

ENCLOSURE

ENCLOSURE

94-1-367-

[REDACTED] 5 January 1965

Page Two

b6
b7c

Our dilemma, then, is that we are not qualified to reply effectively and yet an "effective" reply seems indicated.

A solution might be found, we submit, if the Bureau would reply to these requests, which we would forward to you or your designee --thereby providing the authoritative and "pacifying" answer that the queries seem to require.

At the same time, the Bureau might look upon this "accident" as an opportunity to extend education about civil discontent and the dangers of "vigilante," unprofessional, private response with which Mr. Hoover's recent speeches and articles have dealt.

Our suggestion is that we send a form letter (sample enclosed) to each writer stating: first, what NSIC can appropriately offer (in its limited capacity as "clearing house" and information Center); second, that the Bureau is the most appropriate place to obtain enlightenment on the subject of the Digest article; and, third, that we are therefore referring the writer's communication to the Bureau's public information office.

Would it be feasible, for example, on receipt of these letters, for the Bureau to mail to each writer a standard packet of materials, including, perhaps: copies of "Communist Target - Youth"; the latest Bureau or HCUA report on the subject of Communist activities among peace, civil rights and other legitimate or front groups; and a copy of a speech or article by Mr. Hoover which stresses that policing Communists and preventing or controlling riots inspired by them is a job for the courts, the police, the FBI and other expert governmental authorities, rather than for private, albeit well-intentioned, persons?

I am sending a copy of this letter to Morrie Leibman to seek his views as to this suggestion. If you and he approve, the ABA Committee's letters might be handled in a similar fashion, starting with an appropriately modified form letter from Chicago.

Your reaction in the near future would be greatly appreciated. We have received over a hundred requests to date in New York alone, and many more will probably come as soon as the general non-subscribing public can buy the current Digest issue on the newsstands.

[REDACTED] 5 January 1965

Page Three

Our primary interest in this affair is to offer a constructive reply to people who are "alarmed" and may be tempted to enlist in some irresponsible "anti-riot" activity unless they are given the kind of rational guidance that Mr. Hoover provides so ably.

Sincerely yours,

[REDACTED]

[REDACTED]
Vice-President and General Counsel
National Strategy Information Center, Inc.

BPA:mp

Enclosures: Digest Article
Sample Form Letter

cc: [REDACTED] President
Morris I. Leibman, Esq.
William C. Sullivan
Lynn E. Edwards

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

FROM : SAC, CHICAGO (80-355)

SUBJECT: AMERICAN BAR ASSOCIATION

DATE: 1/14/65

Enclosed herewith find two American Bar Association Red Book Directories for 1964-1965 which were made available by [redacted] of the Association to SA [redacted]

b6
b7C

2 - Bureau (Encs. 2) ~~ENCLOSURE~~
1 - Chicago
JCN:jmn
(3)

~~AMERICAN BAR ASSOCIATION RED BOOK 1964-1965~~
BOOKLET

REC-11
EX-100

94-1-309-1930
2 JAN 18 1965

TEN

58 JAN 25 1965

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt *FW*

DATE: January 18, 1965

FROM : H. L. Edwards *HW*

SUBJECT: *⑥* AMERICAN BAR ASSOCIATION - *Not*
MIDYEAR MEETING
NEW ORLEANS, LOUISIANA
FEBRUARY 3 - 9, 1965

Tolson _____
Belmont _____
Mohr ☒ _____
DeLoach ☒ _____
Casper _____
Callahan _____
Conrad _____
Felt ☒ _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

The midyear meeting of the American Bar Association (ABA) is scheduled for New Orleans, beginning Wednesday, February 3, and going through Tuesday, February 9. This is the one big annual business meeting of the ABA and the time is devoted primarily to full daily business sessions of the various sections and committees. It is also the meeting at which plans are formulated for the annual August meeting program.

The midyear meeting this year will have heavy business sessions of the Standing Committee on Education Against Communism, the Criminal Law Section, and the Special Lumbard Committee for the formulation of minimum standards for the administration of criminal justice. I am a member of one of the five major subcommittees working with the Lumbard group, the subcommittee dealing with the police function.

In order to effectively cover all of the business sessions and to participate in those which are essential, it will be necessary for the alternate and myself to attend the midyear meeting. SA Supervisor [redacted] is the last approved alternate and although he has since been reassigned from the Permanent Aide Staff of the Inspection Division, he has continued to work with me on some phases of the ABA's work, especially the Standing Committee on Education Against Communism. Assistant Director Sullivan advised that he will be willing to make [redacted] available to assist in covering this midyear meeting and [redacted] advises he has no commitments which would conflict with this assignment. [redacted] is thoroughly experienced in assisting in covering the ABA meetings. b6
b7C

RECOMMENDATION: That approval be given for SA Supervisor [redacted] and myself to cover this year's ABA midyear meeting. After approval, this memorandum should be returned to Inspector H. L. Edwards for taking necessary action.

1 - Mr. W. C. Sullivan

HLE:mbk
(4) *mbk*

64 FEB 1 1965

6 JAN 26 1965

PERS. REC. UI

AMERICAN BAR ASSOCIATION

OFFICE OF THE PRESIDENT-ELECT
AMERICAN BAR CENTER
CHICAGO, ILLINOIS 60637
HYDE PARK 3-Q533
AREA CODE 312

August 20, 1964

Box 123,
Memphis, 1 Tennessee

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington D.C.

Dear Mr. Hoover:

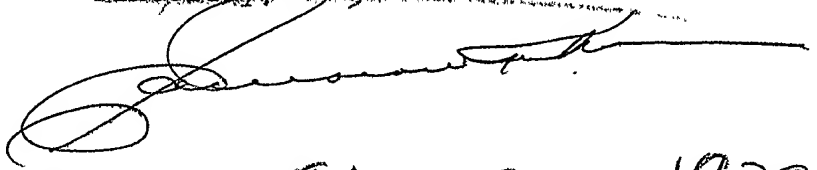
Your letter of August 17th extending congratulations upon my election as President-Elect of the American Bar Association has been gratefully received and I hasten to tell you how flattered I am that you would take the time from your busy schedule to congratulate me.

As you well know, the relationship between the American Bar Association and the Department of Justice has always been very pleasant and it is my sincere desire to make the future even more pleasant.. You have always been the pillar of strength to the Association and we are very grateful to you.

With best wishes, I remain

Edmond W. Kuhl
American Bar Assn.
Box 123
Memphis, Tenn.
Sincerely,

EWK/p



94-1-369-1933

2-1-65
1 AUG 21 1964

CORRESPONDENCE

TWO

no ack nec
reply

8/2

EX-10. PROC.
39 AUG 21 1964

71

FEB 5 1965

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gale

FROM : E. L. Edwards

SUBJECT: THE WARREN COMMISSION REPORT

DATE: October 12, 1964

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

NOT

The Domestic Intelligence Division submitted a suggestion for counteracting some of the criticism of the Bureau in the Warren Commission Report. The suggestion was that the Bureau endeavor to have some reputable legal group such as the American Bar Association treat the legal aspects of the Warren Commission Report. For example, Secret Service is in a legal position to act against persons who make threats against the President's life. However, would it have legal basis to act against persons unilaterally determined to possess tendencies toward violence? If persons in the latter category were detained and their cases went to the Supreme Court based on an analysis of Supreme Court decisions during the past 20 years, how would the Supreme Court hold?

It does seem to me that if some of the conclusions and recommendations of the Warren Commission are taken to their logical end, the inevitable result would be to invade many areas of privacy and even deprive American citizens of certain of their rights as individuals which the U. S. Supreme Court under Warren have held sacrosanct. For example, many of the individuals whose names were furnished to Secret Service under the expanded criteria have never indulged in any overt acts or statements even constituting a remote probable cause to justify interfering with their privacy or liberty at a time when the President might be in the area where these people are located. Yet, the obvious implication of the Warren recommendations would require Secret Service to possibly impose some sort of check or even physical restraint on these individuals, otherwise Secret Service might run the risk of having the President's life endangered. Such action by Secret Service might be justified where the individual has been known to make an actual threat against the President. But, in the majority of cases, there would be insufficient justification to stand up in court, at least under the civil libertarian yardstick of the present-day Warren Court.

There are possibly other constitutional questions raised in the Warren Commission Report.

In the event it is felt desirable to attempt implementing this suggestion, my thought would be to approach Lewis F. Powell, Jr., President of the American Bar Association, and endeavor to interest him in having a proper committee or section

1 - Mr. DeLoach
1 - Mr. Sullivan

69 FEB 22 1965

(CONTINUED - OVER)

ORIGINAL FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt

DATE: December 28, 1964

FROM : H. L. Edwards

SUBJECT: JUDGE J. EDWARD LUMBARD, CHAIRMAN
AMERICAN BAR ASSOCIATION'S SPECIAL COMMITTEE
ON MINIMUM STANDARDS OF CRIMINAL JUSTICE

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Reference is made to my memorandum 12-18-64 advising that Judge Lumbard had appointed me to an 11-man advisory committee to make recommendations for minimum standards in the field of the police function and that Judge Lumbard had stated that Judge Richard Austin of Chicago is Chairman of the committee and that U.S. Circuit Court Judge George Edwards and Edward Bennett Williams are two members of the committee. The Director approved the recommendation that I explain to Judge Lumbard that the Bureau cannot serve on this advisory committee unless there is a preponderance of unbiased, objective members on it. The Director noted, "You may confidentially give him (Lumbard) background of Edwards, Austin and Williams."

Through the New York Office, I learned this morning that Judge Lumbard will not be in his office this week but I have set an appointment up to see him at 2:30 p.m. on Tuesday, January 5, 1965.

94-1-369-
NOT RECORDED
167 FEB 1 1965

In the meantime, American Bar Association (ABA) President Lewis Powell called me from Richmond. He advised that Judge Lumbard had now made the additional appointments to the 11-man committee and Powell felt the committee should be ready to function early in 1965. Powell stated that there were many headaches in selecting committee members and that for reasons he was sure we could understand Judge Lumbard had tried to balance these committees to assure representation of the various points of view. A complicating factor was that they had to consult with the ABA Section on Judicial Administration since this is a Joint Committee of that Section and the Criminal Law Section. Powell said this necessarily involved a good deal of "give and take" He is satisfied that the total team is now a strong one and that there is good balance in favor of law enforcement. Powell said he wanted the Director to realize some members of this advisory committee on police function were not to his liking. For example, he said he personally does not like Judge George Edwards because he is too liberal, but Powell said some of the judiciary agitated to make Judge Edwards Chairman because he had formerly been Commissioner of Police in Detroit and it was only through Powell's intervention that this was forestalled. Powell said he knows Edward Bennett Williams is very defense minded but he does have a following in the Criminal Law Section. Powell said he didn't realize how defense minded the Criminal Law Section was until he got into these committee appointments. Powell obviously does not know anything about the hoodlum tie-ins of Judge Austin and he said that Judge Austin is a former State's Attorney who seems to have a good reputation among the Illinois Bar.

79 FEB 4 - 1965

1 - Mr. DeLoach
1 - Mr. Casper
1 - Mr. Callahan
1 - Mr. Conrad
1 - Mr. Felt
1 - Mr. Gale
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Tavel
1 - Mr. Trotter
1 - Mr. Tele. Room
1 - Mr. Holmes
1 - Mr. Gandy

ORIGINAL FILED IN 63-383-172

Memorandum to Mr. Felt

Re: Judge J. Edward Lumbard, Chairman

ABA Special Committee on Minimum Standards of Justice

Powell named the remaining members of the advisory committee and said he hoped I would pass these names on to the Director and that the Director would permit me to serve because Powell feels the Police Advisory Committee is one of the most important in this study and that this study could very well be the turning point to reverse the alarming crime rate spiral and mark the beginning of a strengthening of law enforcement. Powell said he has come to rely more on the Director's philosophy and has quoted him more than any other man in his speeches during his term as President, and if he does nothing else during the remainder of his term as President of the ABA he wants to at least make some headway toward the improvement of law enforcement.

The other members of the committee are:

- (1) Walter E. Hoffman, Chief Judge, U. S. District Court for the Eastern District of Virginia. Powell said he went to law school with Hoffman and is certain Hoffman is solid. We are familiar in the Bureau with some of Hoffman's views and they are favorable.
- (2) [redacted] County Attorney, Vinton, Iowa, and Past President of the National District Attorneys' Association. We recommended [redacted] and know he is solid.
- (3) Michael J. Murphy, Commissioner of Police, New York City Police Department. We know he is a friend of law enforcement.
- (4) Roger J. Traynor, Chief Justice, Supreme Court of California. Files show nothing adverse to law enforcement.
- (5) Thomas J. Boodell, Chicago, Illinois. President of the Illinois Bar Association. He is a member of the ABA House of Delegates, active on several prominent committees and Powell said he is solid. Files show he wanted Director to be principal speaker before the American Bar Foundation 11-20-64 which was declined. b6
b7c
- (6) Earl T. Thomas, Jackson, Mississippi. President of the Mississippi Bar Association and a member of the American College of Trial Lawyers. Powell said he is in private practice and a very solid man. Nothing unfavorable in Bureau files.
- (7) [redacted] former Assistant U. S. Attorney, Southern District of New York. The New York office indicated [redacted] was favorable to law enforcement. Bureau files show he was close personal friend of former Attorney General Rogers also was Chief Counsel of Senate Subcommittee investigating Crime in D. C. There are some unsubstantiated indications he was tied in with Carmine DeSapio and had some left-wing interests. Also that in handling waterfront inquiry in New York while Assistant U. S. Attorney, he was somewhat demanding but Bureau did not permit itself to be stampeded. Powell mentioned that [redacted] served in the U. S. Attorney's Office at the same time as Judge Lumbard was U. S. Attorney and [redacted] is very close to Lumbard.

Memorandum to Mr. Felt

Re: Judge J. Edward Lumbard, Chairman

ABA Special Committee on Minimum Standards of Justice

Powell ended by stating that he is going to personally keep a very close watch on Lumbard's committee and especially the Police Advisory Subcommittee to which I have been appointed. He said he will rely heavily on me, if the Director will permit me to serve, and that if I would keep alert to developments within the committee's meetings and ran into any major problems I would be able to alert Powell who can use his influence to keep the Committee on track. Powell said Lumbard's study now has been assured of its entire \$750,000 grant for this 3-year study.

RECOMMENDATION:

That, in view of the better balance represented by the total 11-man committee, I be authorized now to accept the appointment as a committee member. If this is approved, I will so advise Judge Lumbard when I meet with him January 5, 1965, to confidentially brief him on the background of Edwards, Austin and Williams.

OK
h
✓ [unclear] [unclear]
[unclear]
[unclear]
[unclear]

South Eastern Jurisdictional Council

The Methodist Church

D. TRIGG JAMES, Executive Secretary

26 AUBURN AVENUE, NORTHEAST
TELEPHONES
404 688-9817 • 404 524-5362
ATLANTA, GEORGIA 30303

JAMES W. SELLS, Executive Secretary

Mr. R. H. ...
Mr. S. ...
Mr. T. ...
Mr. T. ...
Tele. Room
Miss Holmes
Miss Gandy

January 30, 1965

The Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

Our mutual friend, Dr. Raymond W. Miller, yesterday presented me a copy of the series of three lectures on "Freedom is the Exception" by Assistant Director, Wm. C. Sullivan.

I am today writing to the American Bar Association asking for copies to distribute to outstanding church leaders. I think this book has in it some basic material which will be of great benefit to the work of The Methodist Church. I want to congratulate you for having a man of the quality of Mr. Sullivan who is able to give to us such keen insights and wise guidance.

Respectfully yours,

[Redacted Signature]

Executive Secretary

JWS/p

94-1-369-

NOT RECORDED
28 FEB 8 1965

FEB 11 1965

CORRESPONDENCE

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b7C

80 FEB 1 1965

94-395-48-5

Memorandum to the President
2-3-65
S. O. B. ...

OFFICERS OF THE COUNCIL

R. HOWARD BERG, President
R. O. B. ...
MEMPHIS, ...

HONOR J. O. SMITH, Vice-President

56 FEB 12 1965

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

FROM : SAC, CHICAGO (80-355)

SUBJECT: APPLICANT NAME CHECKS
AT THE AMERICAN BAR
ASSOCIATION

DATE: 2/1/65

[REDACTED] Membership Department of the American Bar Association, has advised that in the interest of efficiency and economy of operations certain changes will be made with respect to their maintenance of membership records.

Heretofore in applicant investigations involving attorneys the membership files would disclose the information appearing on the attorney's application for membership in the American Bar Association.

Hereafter the application for American Bar Association membership will be destroyed after the information is transposed to an IBM card which will be the source of information for the Bureau in the future.

Effective immediately only the year in which the applicant was born, the year in which he was admitted to practice law, and the year in which he was elected to American Bar Association membership will be available. The applicant's residence address of course will be contained on the IBM card and available during Bureau name checks.

In the future the exact month and day of the applicant's birth, admission to the bar, and election to American Bar Association membership will not be available. The name of the sponsor who endorsed the applicant's application for membership will also not be available.

2 - Bureau
2 - Chicago

JCN:bls
(4)

74-1-367-19344 11 10 03 AM '65

STEPS

FBI
RECEIVED

THREE
92

CG 80-355

The red label or grievance files will still be available during the record checks at the American Bar Association.

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

DATE:

FROM : SAC, Oklahoma City

SUBJECT: AMERICAN BAR ASSOCIATION AMERICAN
MEDICAL ASSOCIATION,
JOINTLY SPONSORED SYMPOSIUM,
LAS VEGAS, NEVADA, March 12, 1965.

SA HENRY L. McCONNELL has been invited by a friend, a prominent member of the Oklahoma Bar Association, to visit the above symposium while on contemplated annual leave in the Las Vegas, Nevada, area.

UACB, SA McCONNELL will attend one of the morning or afternoon sessions of this symposium, as a visitor, as a result of this invitation while passing through Las Vegas, Nevada. He will not participate in any discussions or in any proceedings.

*THIS APPEARS TO BE
A PERSONAL MATTER - NO
OBJECTION DIV 10*

② - Bureau - *1 cc Inspection Division*
1 - Oklahoma City
HLM:wsu
(3)

REC-125

94-1-369-1935

EX-103

FEB 16 1965

TELETYPE

123
58 FEB 25 1965



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FEB 9 1965

TELETYPE

FBI WASH DC

FBI NEW ORLS

2-35 PM CST 2-9-65 URGENT DAO

TO DIRECTOR - ATTENTION: MR. FELT

FROM INSPECTOR H. L. EDWARDS

AMERICAN BAR ASSOCIATION MID-YEAR MEETING, NEW ORLEANS,

FEBRUARY THREE THROUGH NINE, SIXTYFIVE.

THIS SUMMARIZED PERTINENT INFORMATION RE SESSIONS, MONDAY, FEBRUARY EIGHT. ABA HOUSE OF DELEGATES PASSED RESOLUTION BY TWO THIRDS MAJORITY CONTENDING [REDACTED] DID NOT RECEIVE FAIR TRIAL AND WAS DENIED DUE PROCESS BECAUSE HIS TRIAL WAS TELEVISED TO THE PUBLIC AGAINST HIS WILL. ABA WILL NOW FILE A BRIEF SUPPORTING THAT POSITION IN APPELLATE COURT BUT ABA SPECIFIED IT WAS TAKING NO POSITION ON THE MERITS OF ESTES/ INNOCENCE OR GUILT.

FORMER ATTORNEY GENERAL HERBERT BROWNELL, CHAIRMAN OF ABA SPECIAL COMMITTEE ON PRESIDENTIAL INABILITY AND VICE PRESIDENTIAL VACANCIES, TOLD HOUSE OF DELEGATES IT WAS LIKELY CONGRESS WOULD PASS A PRESIDENTIAL SUCCESSION AMENDMENT THIS SESSION, AFTER WHICH HE URGED THE ABA TO STRONGLY SUPPORT
END PAGE ONE

EX-103

REC 8

94-1-369-1936

58 MAR 1 1965

MR. MOHR FOR THE DIRECTOR

6 FEB 18 1965

TELETYPE

b6
b7c

PAGE TWO

RATIFICATION. *Lee*

FORMER ABA PRESIDENT JOHN D. ~~X~~RANDALL AND MRS. RANDALL OF CEDAR RAPIDS, IOWA, TOLD EDWARDS THEY DEEPLY APPRECIATED STILL RECEIVING REPRINTS OF THE DIRECTOR/S ARTICLES AND SPEECHES FROM THE BUREAU. BOTH CLAIMED THEY CONSCIENTIOUSLY CONTINUE TO READ THIS MATERIAL AND HOPE THE DIRECTOR WILL CONTINUE TO KEEP THEM ON THE MAILING LIST.

FORMER ABA PRESIDENT DAVID ~~X~~MAXWELL OF PHILADELPHIA, PENNSYLVANIA, TOLD EDWARDS HE IS GLAD TO BE A MEMBER OF THE ABA ADVISORY ~~COMMITTEE~~ *La* LOOKING INTO THE POLICE FUNCTION AND HE WANTED EDWARDS TO KNOW HE WILL STRONGLY SUPPORT THE DIRECTOR/S VIEWS ON LAW ENFORCEMENT IN THIS COMMITTEE AND WILL MAKE EVERY EFFORT TO PREVENT EDWARD BENNETT WILLIAMS FROM HAVING ANY BAD INFLUENCE ON THE COMMITTEE. IT WILL BE RECALLED THIS IS THE ADVISORY COMMITTEE TO WHICH EDWARDS WAS ALSO NAMED BY JUDGE EDWARD LUMBARD.

ABA PRESIDENT ELECT EDWARD ~~X~~KUHN OF MEMPHIS, TENN., *Lee* TOLD EDWARDS THE DIRECTOR CAN COUNT ON HIM DURING HIS FORTHCOMING
END PAGE TWO

2

PAGE THREE

YEAR AS ABA PRESIDENT, WHICH BEGINS AUGUST, SIXTYFIVE. KUHN
IS VERY MUCH BEHIND THE ABA STANDING COMMITTEE ON EDUCATION
AGAINST COMMUNISM.

b6
b7C

ABA HOUSE OF DELEGATES WILL CONCLUDE TODAY. EDWARDS
AND [REDACTED] HAVE RESERVATIONS TO DEPART NEW ORLEANS VIA
DELTA AIRLINES AT EIGHT THIRTYSIX AM, WEDNESDAY, ARRIVING
FRIENDSHIP AIRPORT ELEVEN THIRTYFIVE AM.

END AND ACK PLS

WA WBS

FBI WASH DC

TUP

cc. Mr. Felt
Mr. H. L. Edwards

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Felt *2*

DATE: February 11, 1965

FROM : H. L. Edwards *HL*

SUBJECT: AMERICAN BAR ASSOCIATION MIDYEAR MEETING
NEW ORLEANS, LOUISIANA
NEW KEY OFFICERS

7-5

At the closing session of the American Bar Association Midyear Meeting in New Orleans, 2-9-65, the following individuals were either nominated or elected as indicated below to key offices:

1. President-elect Orison S. Marden of New York City was nominated President-elect, and, as is customary, will be formally elected at the forthcoming Annual Meeting scheduled for Miami Beach, Florida, August 9, 1965. Marden is a partner in one of the most prominent Wall Street law firms (White and Case). He has long been active in key roles in the American Bar Association (ABA). He is a member of the House of Delegates, has been particularly active in legal aid work, and is former President of the Association of the Bar of the City of New York. In this latter capacity, he, along with [] Executive Secretary of the same Association, circularized the Bar Association of New York to seek volunteers to assist in representing the Veterans of the Abraham Lincoln Brigade in its appeal from the Subversive Activities Control Board case before the U. S. Circuit Court of Appeals in 1962. In February, 1959, before the House of Delegates, Marden tried to have deferred the approval of a report of the then Special Committee on Communist Tactics, Strategy and Objectives because Marden said a "New York Times" editorial claimed the report had overtones of criticism against the U. S. Supreme Court. There is no indication in Bureau files of any difficulties the Bureau has ever had with Marden or with any criticism of the Bureau by Marden. It is apparent that Marden is quite highly thought of in the ABA and is considered quite influential. *J*

b6
b7c

2. Treasurer of the ABA [] of Tacoma, Washington. [] was elected Treasurer, replacing [] of Detroit, Michigan, who had been Treasurer for the past five years and who was desirous of relinquishing the position. [] is well and favorably known to me. I introduced him to the Director 5-22-63 when he and Mrs. Louise Child, Assistant to the Editor-in-Chief of the American Bar Association Journal, took a special tour of the Bureau and requested to meet the Director. They were photographed with the Director and autographed prints were sent to both. They were highly complimentary of the Director and the tour. [] will be very cooperative and helpful in any way he can.

1 - Mr. DeLoach

HLE:mbk

(4) ENCLOSURE

REC-131

94-1-369

1965

Mailing List

Change Noted

2-15-65
COB/me/cac

10
HL

Memorandum to Mr. Felt

Re: ABA Midyear Meeting, New Orleans, Louisiana; New Key Officers

3. Secretary of the ABA [redacted] was nominated for a third term. He is a young attorney, has been very prominent in the Junior Bar and nothing derogatory is known regarding him. He communicated with the Director in January, 1960, to request the Bureau's cooperation in connection with a placement service for young lawyers seeking Government employment which the Junior Bar Conference was sponsoring. The Bureau cooperated with this program and has continued to derive benefits from it.

b6
b7C

RECOMMENDATIONS: That congratulatory letters over the Director's signature be sent to these individuals and that their names be placed on the Special Correspondents' Mailing List of the Bureau. The mailing addresses for these individuals are: (1) Mr. Orison S. Marden, 14 Wall Street, New York, New York, 10010; (2) [redacted] Puget Sound Bank Building, Tacoma, Washington, 98402; and (3) [redacted] Bank of the Southwest Building, Houston, Texas, 77002. (If approved, to be handled by the Crime Records Division.)

HW
2



—States-Item photo.

AMERICAN BAR ASSOCIATION officers nominated today at the group's meeting in the Roosevelt Hotel included, from left, JOSEPH H. GORDON of Tacoma, Wash., treasurer; GIBSON GAYLE JR., Houston, Tex., secretary, and ORISON S. MARDEN, New York City, president-elect.

ABA TAKES STAND HERE

A-Ship Accidents Treaty Is Urged

By KERMIT TARLETON

The American Bar Association today went on record as favoring United States participation in the Brussels nuclear ship convention or another convention to fix financial responsibilities resulting from the operation of atomic-powered vessels.

The ABA's House of Delegates, however, opposed fixing of a treaty with respect to damages caused by nuclear incidents at land-based nuclear reactors or facilities within the United States.

Under the resolution dealing with the ship convention, the ABA recommended that operators of atomic ships be absolutely and solely liable for damage caused by incidents originating on such ships.

IT SUGGESTED a limit of \$100 million for each nuclear incident and suggested that the operator maintain insurance or other financial security coverage for liability in the event of such damage.

The ABA proposal would apply to all nuclear powered ships whether warships or merchant vessels.

SARGENT SHRIVER, director of the Office of Economic Opportunity, wired his congratulations to the ABA meeting at the Roosevelt Hotel for its efforts in extending legal assistance to persons of low-income brackets.

"Poverty is not lack of opportunity," Shriver said. "It is lack of dignity. It is helplessness and vulnerability to injustice. The legal profession has a central role to play in the war against poverty."

Yesterday the ABA voted to extend legal services wherever possible in connection with the OEO.

ORISON S. MARDEN of New York City today was nominated president-elect of the ABA. He will be formally elected at the annual meeting in Miami Beach, Fla., on Aug. 9.

Edward W. Kuhn, Memphis, now president-elect, will become president at the Miami Beach meeting, succeeding Lewis F. Powell Jr., Richmond, Va.

Gibson Gayle Jr., Houston, was nominated for a third term as ABA secretary. Joseph H. Gordon of Tacoma, Wash., was chosen treasurer.

New Orleans States-Item
Tuesday, 2-9-65

ENCLOSURE

94-1-369 1937

FIVE NOMINEES were named for three-year terms on the board of governors:

Thomas B. Jackson, Charleston, W. Va., for Michigan, Ohio and West Virginia.

Robert P. Hobson, Louisville, for Illinois, Indiana and Kentucky.

Clarence A. Davis, Lincoln,

See BAR—Page 12

Bar--

(Continued from Page 1)

Neb., for Minnesota, Nebraska, North Dakota and South Dakota.

Cecil E. Burney, Corpus Christi, Tex., for Arkansas, Oklahoma and Texas.

Emmett C. Angland, Great Falls, Mont., for Alaska, Idaho, Montana, Oregon and Washington.

In other action today the House of Delegates postponed until its August meeting a resolution calling for curtailment of railroad strikes.

It also heard a protest from James B. Bennett, Washington, D. C., retired director of the Federal Bureau of Prisons, objecting to what he termed too much violence and horror in television.

He said such violence tends to increase the incidence of juvenile delinquency.

February 15, 1965

PERSONAL

REC-131 94-1-369 1937

Honorable Orison S. Marden
14 Wall Street
New York, New York 10010

Dear Mr. Marden:

I recently learned that you have been nominated as President-elect of the American Bar Association, and I wanted to take this opportunity to extend my heartiest congratulations.

This is indeed an honor and a well-deserved recognition of your many contributions to the legal profession. My associates and I are looking forward to working with you in all matters of mutual interest, and you have our best wishes for all possible success.

Sincerely yours,

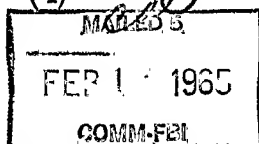
J. Edgar Hoover

1 - New York

NOTE: See H. L. Edwards to Mr. Felt memorandum dated 2/11/65 captioned "American Bar Association Midyear Meeting, New Orleans, Louisiana, New Key Officers." Mr. Marden is being added to the Special Correspondents' List.

CJJ:cal

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MAIL ROOM ☐ TELETYPE UNIT ☐

(FEB 15 4 12 PM '65)
REC'D-READING ROOM
FBI

FEB 26 1965

February 15, 1965

PERSONAL

FER 15 4 12 PM '65
REC'D-READING ROOM
FBI

Honorable [redacted]
Puget Sound Bank Building
Tacoma, Washington 98402

Dear [redacted]

I would like to take this opportunity to extend my heartiest congratulations on your election as Treasurer of the American Bar Association.

This is indeed an indication of the esteem in which you are held by your associates, and your many friends in the FBI join me in extending best wishes for all possible success in your new duties. We are looking forward to working with you and hope you will not hesitate to call on us whenever the opportunity arises.

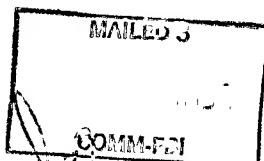
Sincerely yours,
J. Edgar Hoover

1 - Seattle

NOTE: See H. L. Edwards to Mr. Felt memorandum dated 2/11/65 captioned "American Bar Association Midyear Meeting, New Orleans, Louisiana, New Key Officers." [redacted] is being added to the Special Correspondents' List.

CJJ:cal (4)

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REC-131

44-1-369-1938

FEB 16 1965

February 15, 1965

PERSONAL

REC'D-READING ROOM
FBI
FEB 15 4 12 PM '65

Honorable
Bank of the Southwest Building
Houston, Texas 77002

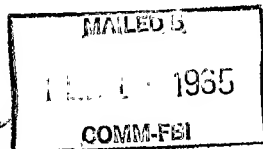
Dear

It was certainly a pleasure to learn that you have been nominated for a third term as Secretary of the American Bar Association. Your many friends in the FBI join me in extending heartiest congratulations and best wishes for success. All of us are looking forward to a continuation of the splendid relationship which exists with you.

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b7c

Sincerely yours,

J. Edgar Hoover



1 - Houston

NOTE: See H. L. Edwards to Mr. Felt memorandum dated 2/11/65 captioned "American Bar Association Midyear Meeting, New Orleans, Louisiana, New Key Officers." is being added to the Special Correspondents' List.

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REC-131

94-1-367-1939

FEB 19 1965

UNITED STATES GOVERNMENT

Memorandum

Mr. DeLoach

DATE: 2-3-65

To: _____
B: _____
Mr. _____
Mr. DeLoach _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

FROM:

D. C. Morrell

TO:

EXECUTIVE SECRETARY
SOUTHEASTERN JURISDICTIONAL COUNCIL
THE METHODIST CHURCH
ATLANTA, GEORGIA

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b7C

Under date of 1/30/65 captioned individual wrote the Director advising that "our mutual friend" Dr. Raymond W. Miller had presented [redacted] with a copy of the series of three lectures on "Freedom is the Exception" by Assistant Director William C. Sullivan. [redacted] stated he was writing the American Bar Association (ABA) asking for copies to distribute to outstanding church leaders. He thought the book had in it basic material which would be of great benefit to the work of The Methodist Church. He also offered congratulations to the Director for having a man of the quality of Mr. Sullivan who was able to give such keen insights and wise guidance.

Attached is a memorandum from Mr. Edwards to Mr. Felt of 2/1/65 which encloses a copy of the ABA's reprint of Mr. Sullivan's speeches. Mr. Edwards memorandum to Mr. Gale of 1/16/64 pointed out that Dr. Miller was a member of the ABA's Steering Committee on Education Against Communism and was very friendly with the Bureau and desired Mr. Edwards to determine if the Director would approve of the ABA's having Mr. Sullivan's three lectures reprinted to be given out to Dr. Miller's graduate students and also for distribution by this committee. The Director granted such approval.

Dr. Miller is on the Special Correspondents' List. We have had prior correspondence with [redacted] and there is no derogatory information in Bufiles identifiable with him.

While we do not want to become involved in the controversy which arises from time to time over the extreme liberalism of some of the leaders of the Methodist Church, since we have already granted permission to the ABA to print and distribute these lectures they are in the public domain and we cannot really object to the Methodist Church's obtaining copies from the ABA for distribution to their church leaders.

RECOMMENDATION:

Accordingly, it is recommended that [redacted] letter be acknowledged and be advised that the FBI interposes no objection to his request. A proposed letter is attached for approval.

Enclosures 25
DeLoach - Enclosures (2)

56 MAR 2 1965

1 - H. L. Edwards - Enclosures (2)
1 - W. C. Sullivan - Enclosures (2)

NOT RECORDED
102 FEB 23 1965

ORIGINAL FILED IN 94-1-307-6

UNITED STATES GOVERNMENT

Memorandum

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TO : Mr. Felt

DATE: February 1, 1965

FROM : H. L. Edwards *HL*

SUBJECT: STANDING COMMITTEE ON EDUCATION
AGAINST COMMUNISM
AMERICAN BAR ASSOCIATION

Enclosed is a copy of captioned Committee's most recent release entitled, "Freedom Is The Exception," containing 3 lectures by Assistant Director W. C. Sullivan given at Harvard University. The Committee's use of the article was previously approved by the Director.

By way of background within the last month Mr. Morris I. Leibman, Committee Chairman, in conversation with me advised that the above publication was ready for release. At that time, as well as on previous occasions, Mr. Leibman expressed appreciation and commented on the continuing tremendous impact the Director's article, "The U. S. Businessman Faces the Soviet Spy," which is being distributed by the Committee, has had on the industrial and business communities. Mr. Leibman expressed similar appreciation for the Director's approval of the current pamphlet and stated he feels that it will have added impact on the community.

RECOMMENDATION:

ENCLOSURE For information.
Enclosure

3 - Mr. Mohr
1 - Mr. Belmont
1 - Mr. Sullivan
1 - Mr. DeLoach
1 - Mr. Felt

FILE:mbr

ENCLOSURE

94-1-369-

NOT RECORDED
102 FEB 23 1965

ORIGINAL FILED IN 74-39249

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FBI WASH DC

TELETYPE

FBI NEW ORLS

837PM CST URGENT 2-8-65 RJB

TO DIRECTOR

ATTENTION: MR. FELT

FROM INSPECTOR H. L. EDWARDS 11 P

AMERICAN BAR ASSOCIATION MIDYEAR MEETING, NEW ORLEANS,
FEBRUARY THREE THROUGH NINE, SIXTY FIVE.

THIS SUMMARIZES PERTINENT INFORMATION RE SESSIONS
SATURDAY AND SUNDAY FEBRUARY SIX AND SEVEN.

CRIMINAL LAW SECTION MET ALL DAY SATURDAY. A SUB COMMITTEE
STUDYING THE PROPOSED REVISIONS TO FEDERAL RULES OF CRIMINAL
PROCEDURE IS STILL STRONGLY DEFENSE MINDED AND FOR MORE
LIBERAL DISCOVERY RULES FAVORING DEFENSE. [REDACTED]

OF CHICAGO PROPOSED A RULE REQUIRING PROSECUTION TO MAKE
AVAILABLE TO DEFENSE A LIST OF ALL PROSECUTION WITNESSES.
EDWARDS HAD THIS DEFERRED BY ARGUING THAT SUCH A PROPOSAL
WOULD BE UNFAIR UNLESS THE DEFENSE WAS ALSO WILLING TO
REVEAL ITS WITNESSES IN ADVANCE TO THE PROSECUTION. [REDACTED]

SAID HE WOULD OPPOSE THIS BECAUSE HE FELT THE PROSECUTION
WOULD RUSH OUT AND INTERVIEW DEFENSE WITNESSES AND HARASS
THEM INTO CHANGING THEIR STORY OR MAKE THEM AFRAID TO
TESTIFY. [REDACTED] WAS ASKED FOR SPECIFICS RE ANY SUCH CASES
IN THE PAST BUT DID NOT FURNISH ANY INSTANCES. HE WAS TOLD

END PAGE ONE

MR. MOHR FOR THE DIRECTOR

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

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REC-31

FEB 25 1965

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64 MAR 10 1965

PAGE TWO

THERE WAS NO MORE RISK OF THAT THAN WOULD BE OF THE DEFENSE TRYING TO INTIMIDATE OR ELIMINATE KEY PROSECUTION WITNESSES.

[] ALSO PROPOSED THAT U. S. COMMISSIONERS BE REQUIRED TO GIVE DEFENDANTS A HEARING ON THE MERITS IN EVERY CRIMINAL CASE BECAUSE HE CONTENDED AT PRESENT TIME COMMISSIONERS HOLD A VERY BRIEF HEARING AND THE CASE THEN GOES TO THE GRAND JURY, AND FREQUENTLY, WHEN THE CASE COMES TO TRIAL FOLLOWING INDICTMENT, IT IS APPARENT THAT THE CASE WOULD HAVE RESULTED IN AN ACQUITTAL IF THE COMMISSIONER HAD HELD A HEARING ON THE MERITS. HOWEVER, [] WITHDREW THIS PROPOSAL WHEN ADVISED THAT AN ENTIRE SUBJECT OF U. S. COMMISSIONERS' CONVICTIONS, JURISDICTION, ETC., WAS UNDERGOING SEPARATE STUDY THROUGH ADMINISTRATIVE OFFICE OF THE COURTS.

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JIM BENNETT REPORTED THAT HE ATTENDED A CONFERENCE IN NEW YORK CITY WHICH STUDIED THE URGENT NEED TO INCREASE THE QUANTITY AND UPGRADE THE QUALITY OF PERSONNEL IN CORRECTIONAL WORK. AS A RESULT, BENNETT SAID CONGRESSWOMAN GREEN HAS INTRODUCED A BILL TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS AND DESIGNATE SOME FEDERAL AGENCY TO DIRECT A PROGRAM FOR

END PAGE TWO

PAGE THREE

REINSTITUTING, TRAINING, AND OTHERWISE IMPROVING THE QUALITY OF CORRECTIONAL PERSONNEL. THE CRIMINAL LAW SECTION HAS EXPRESSED WILLINGNESS TO COOPERATE WITH ANY APPOINTED COMMISSION STUDYING THIS MATTER.

JIM BENNETT REPORTED HE IS MAKING NO PROGRESS WHATEVER IN EFFORTS ON BEHALF OF SENATOR MAG^NUSEN TO GET THE AMERICAN BAR FOUNDATION TO DEVELOP A MODEL FIREARMS LAW FOR THE STATES. SENATOR MAG^NUSEN TOLD BENNETT HE DOES NOT WANT TO PUSH ANY FEDERAL LEGISLATION IN THIS AREA UNTIL HE FIRST SEES A PROPOSED MODEL STATE LAW. BENNETT SAID THERE IS, IN HIS OPINION, AN URGENT NEED FOR SOME GROUP TO UNDERTAKE RESEARCH TO ASCERTAIN JUST WHAT STATE AND OTHER LOCAL LAWS AND ORDINANCES NOW EXIST GOVERNING FIREARMS AND HOW THEY ARE WORKING. BENNETT WOULD LIKE TO PERSUADE SOME FOUNDATION TO GRANT FUNDS FOR SUCH A STUDY.

THE CRIMINAL LAW SECTION HAS ACCEPTED AN INVITATION OF THE FAMILY LAW SECTION TO JOIN WITH IT IN PUTTING ON A PROGRAM RE NARCOTICS AND JUVENILE DELINQUENCY AT THE ABA REGIONAL MEETING SCHEDULED FOR SAN JUAN MAY TWENTY TWO THROUGH

END PAGE THREE

PAGE FOUR

TWENTY NINE, SIXTY FIVE. THIS PROGRAM IS CONSIDERED TIMELY IN VIEW OF REPORTS THAT PUERTO RICO HAS A SERIOUS NARCOTICS AND DRUG ADDICT ^{PROBLEM} PROGRAM AMONG THOSE PUERTO RICANS WHO HAVE RETURN^{ED} THERE FROM LIVING IN NEW YORK CITY.

PRELIMINARY DISCUSSION OF TIMELY SECTION PROGRAMS FOR THE ANNUAL ABA MEETING SCHEDULED FOR MIAMI, AUGUST, NINETEEN SIXTY FIVE, RESULTED IN SUCH PROBLEMS AS A SEMINAR ON HOW TO CONDUCT A CRIMINAL TRIAL, A PANEL ON POLICE TRAINING, AND HOW TO STRENGTHEN ^{AND} ~~AND~~ IMPROVE THE POLICE, A PANEL OF SPEAKERS RE THE PRESIDENT'S COMMITTEE AND PROGRAM ON CRIME. SELECTION OF FINAL TOPICS AND SPEAKERS TO BE HANDLED AT A LATER DATE.

CONFIDENTIAL INFORMATION WAS RECEIVED THAT ABA BOARD OF GOVERNORS HAS APPROVED STEPS TO HAVE ABA FILE AN AMICUS CURIAE BRIEF IN BILLY SOL ESTES CASE SUPPORTING ESTES' CLAIM THAT HE WAS DENIED DUE PROCESS IN HIS TRIAL BECAUSE OF UNFAIR PUBLICITY BECAUSE OF TV CAMERAS IN COURTROOM. FINAL ACTION RE FILING BRIEF WILL REQUIRE PRIOR APPROVAL OF THE ABA HOUSE OF DELEGATES SCHEDULED TO MEET FEBRUARY EIGHT AND NINE.

END PAGE FOUR

PAGE FIVE

CRIMINAL LAW SECTION CHAIRMAN REPORTED AS RECEIVING SIGNIFICANT NUMBER OF LETTERS FROM VARIOUS INDIVIDUALS AND GROUPS URGING THE SECTION TO SUPPORT A MOVE TO MODERNIZE CRIMINAL LAWS RELATING TO SEX CONDUCT. SECTION DECIDED NO ACTION JUSTIFIED AT THIS TIME.

STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM MET FOR FULL DAY MEETINGS ON BOTH SATURDAY AND SUNDAY. COMMITTEE AGREED TO CONTINUE OVERALL OBJECTIVES OF PAREN(ONE)PAREN GENERATING SCHOLARLY ARTICLES, EXPOSING COMMUNISM FOR BUSINESS, LEGAL, AND ACADEMIC COMMUNITIES; PAREN(TWO)PAREN PROVIDING ASSISTANCE IN CREATING TEACHER SEMINARS FOR EDUCATION OF TEACHERS CONCERNING DANGERS OF COMMUNISM AND POINTING UP THE VALUES OF OUR OWN SOCIETY; AND PAREN(THREE)PAREN BAR LEADERSHIP WHICH ENLISTS LOCAL LAWYER/S PARTICIPATION IN COMMUNITY AFFAIRS CONCERNING TEACHING ABOUT COMMUNISM AND THE VALUE OF THE AMERICAN WAY OF LIFE.

CHAIRMAN MORRIS LEIBMAN ANNOUNCED THAT THE COMMITTEE/S SUPPLY OF THE DIRECTOR/S ARTICLE QUOTE "THE U. S. BUSINESSMAN FACES THE SOVIET SYF" UNQUOTE WHICH APPEARED IN THE HARVARD

END PAGE FIVE

PAGE SIX

BUSINESS REVIEW WAS NEARING EXHAUSTION AND WOULD NECESSITATE A REORDER IN THE NEAR FUTURE. HE ALSO ACKNOWLEDGED TO THE COMMITTEE HIS APPRECIATION FOR THE DIRECTOR/S PAST AND CONTINUING APPROVAL OF AND ASSISTANCE RE THE COMMITTEE/S EFFORTS.

COMMITTEE COUNSEL [REDACTED] DELIVERED A REPORT CONCERNING HIS TRIP TO THE INTERNATIONAL LAW ASSOCIATION MEETING IN TOKYO LAST FALL. IT WAS HIS OBSERVATION THAT THE SOVIET GOVERNMENT HAS LAUNCHED A LAW OFFENSIVE AND HAS INTENSIFIED ITS EFFORTS TO HAVE ~~QUOTE~~ "PEACEFUL CO-EXISTENCE" ~~UNQUOTE~~ ACCEPTED AS A PRINCIPLE OF INTERNATIONAL LAW. THIS IN EFFECT WOULD OUTLAW IN THE COURT OF WORLD OPINION MILITARY AND TECHNICAL ASSISTANCE ON THE PART OF THE FREE WORLD TO EMERGING AND NEW FRIENDLY NATIONS WHILE THE COMMUNIST CAMP WOULD CONTINUE WITHOUT LEGAL RESTRAINT THEIR GUERRILLA AND INSURRECTIONISTS ACTIVITIES. HE CONTINUED THAT THE WHOLE CONCEPT OF WORLD PEACE THROUGH WORLD LAW WOULD IN THE FINAL ANALYSIS INURE TO THE BENEFIT OF THE SOVIETS AND BE DETRIMENTAL TO FREE WORLD INTERESTS. HE ADDED THAT THERE IS A STRONG INDICATION THAT THE SOVIETS

END PAGE SIX

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PAGE SEVEN

INTEND TO FLOOD THIS COUNTRY WITH LEGAL ARTICLES IN AN EFFORT TO LEGITIMATIZE AND LEGALIZE THE SOVIET REGIME IN THE MINDS OF AMERICAN LAWYERS. AS AN EXAMPLE OF THE ABOVE USE OF LEGAL TERMS, HE EXPLAINED THAT FREE WORLD EXPERTS ON SOVIET LAW HAVE DONE THE CAUSE OF CLEAR THINKING A DISSERVICE BY THEIR TRANSLATION OF THE RUSSIAN WORD QUOTE SOOD UNQUOTE DASH THE WORD FOR THE RUSSIAN SHOW TRIAL DASH INTO THE ENGLISH WORD COURT WHICH IS ANYTHING BUT A SHOW TRIAL AND IS THE CRUCIBLE AND THE VERY FOUNDATION OF THE LAW SOCIETY. HE INDICATED THAT THERE WERE MANY OTHER MISTRANSLATIONS THE RESULT OF WHICH CAN ONLY LEAD TO MISUNDERSTANDING AND MISINFORMATION AND ACT AS A DISSERVICE TO THE FIGHT AGAINST COMMUNISM. IN REPOSE TO A QUESTION CONCERNING THE BASIS FOR THE TRANSLATION BY FREE WORLD EXPERTS ON SOVIET LAW, HE SUGGESTED THAT IT MIGHT POSSIBLY BE FOR SELFISH REⁿSSONS SINCE THE FREE WORLD EXPERTS TRAVEL TO THE SOVIET UNION WHICH, OF COURSE, REQUIRES A SOVIET VISA. HE ADDED THAT IN THE PAST THE SOVIETS HAVE PASSED OUT VISAS BASED ON THE DEGREE OF CRITICISM SHOWN BY WRITERS ON PRIOR VISITS.

END PAGE SEVEN

PAGE EIGHT

[REDACTED] STRONGLY URGED THAT A NEW AND COMPLETE EFFORT BE MADE BY THE LEIBMAN COMMITTEE TO TRY TO COME UP WITH SOME NEW APPROACH WHICH MIGHT PAVE THE WAY FOR DECLARING THE COMMUNIST PARTY USA ILLEGAL AND THEREBY TRY TO REVERSE COURT ACTIONS EXPERIENCED IN RECENT YEARS IN THIS AREA. ALSO RELATED ^{To} THIS STUDY WOULD BE A REVIEW OF AREAS WHERE NEW LEGISLATION MIGHT BE OBTAINED TO STRENGTHEN THE INTERNAL SECURITY.

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CHAIRMAN LEIBMAN APPOINTED A FOUR MAN SUB COMMITTEE TO GIVE CONSIDERATION TO THIS SUBJECT IN CONJUNCTION WITH THE MATTER OF DETERMINING WHAT ACTION THE COMMITTEE MIGHT TAKE AS A COUNTER OFFENSIVE AGAINST THE CURRENT REPORTED EFFORTS OF THE SOVIETS TO LAUNCH A SO CALLED LEGAL AGGRESSIVE MOVE AS OUTLINED

BY [REDACTED] LEIBMAN STRONGLY URGED THAT THE DIRECTOR BE ADVISED OF THE COMMITTEE/S INTEREST TO DO EVERYTHING POSSIBLE IN THESE TWO FIELDS WHICH MIGHT ASSIST THE BUREAU AND HE SAID HE WOULD WELCOME ANY MATERIAL OR OTHER COOPERATION INCLUDING SUGGESTIONS AND IDEAS THAT THE DIRECTOR MIGHT HAVE. HE WANTED THE DIRECTOR ASSURED THAT THERE WILL BE NO ATTRIBUTION TO THE BUREAU IN ANY MATTER WHERE THE BUREAU
END PAGE EIGHT

PAGE NINE

WOULD DESIRE ITS COOPERATION TO BE ~~DEPT~~ CONFIDENTIAL.

ON SUNDAY AFTERNOON FROM FIVE TO SEVEN PM THE COMMITTEE HELD A BRIEFING SESSION FOR TOP OFFICIALS OF THE ABA. THE ATTENDANCE WAS EXCEPTIONAL FOR THE TIME OF THE BRIEFING WITH WELL OVER ONE HUNDRED PERSONS PRESENT. TALKS WERE GIVEN BY [REDACTED] DIRECTOR, STANFORD RESEARCH INSTITUTE, AND [REDACTED] DIRECTOR OF INTERNATIONAL STUDIES OF THE UNIVERSITY OF SOUTH CAROLINA, ON THE SUBJECT MATTERS OF NUCLEAR STRATEGY AND THE RED CHINESE SITUATION, RESPECTIVELY. INFORMATION FURNISHED WAS UNCLASSIFIED AND WAS PREVIOUSLY KNOWN BY BUREAU REPRESENTATIVES IN ATTENDANCE AS BEING ALREADY IN THE BUREAU/S POSSESSION.

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BOTH [REDACTED] ARE WELL AND FAVORABLY KNOWN TO ASSISTANT DIRECTOR SULLIVAN.

[REDACTED] IS A RECOGNIZED EXPERT ON THE FAR EAST. HE GAVE A VERY STRONGLY WORDED TALK ALONG THE LINE OF TRYING TO AWAKEN THIS COUNTRY TO A REALIZATION THAT RED CHINA IS NOT ANY LONGER A NATION WHICH NEED NOT BE FEARED. TO THE
END PAGE NINE

PAGE TEN

CONTRARY, [] EMPHASIZED THE EXTENSIVE TECHNOLOGICAL AND ECONOMICAL PROGRESS OF RED CHINA WHICH HE SUPPORTED BY CURRENT SLIDES ILLUSTRATING THE FACT THAT RED CHINA HAS EXTENSIVE NUCLEAR POTENTIAL. HE POINTED UP BY ANALOGY CHURCHILL/S SERIOUS CONCERN IN TRYING TO ALERT THE ENGLISH PEOPLE IN THE DAYS WHEN HITLER WAS BECOMING STRONG. EVIDENCE OF THE SYMPATHY AROUSED BY [] WAS INDICATED BY LOUD AND LONG APPLAUSE FOLLOWING HIS TALK.

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IN A SIDE CONVERSATION WITH [] TAX COUNSEL FOR ABA AND A PROMINENT WASHINGTON D. C. ATTORNEY, [] CONFIDENTIALLY ADVISED THAT JUDGE ED TAMM IS BEING SERIOUSLY CONSIDERED FOR A JUDGESHIP ONE THE U. S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA. [] ADVISED THAT HE HAD RECOMMENDED JUDGE TAMM AND HOPES HE MAY BE APPOINTED IN ORDER TO STEM THE CURRENT TIDE OF REVERSES BY THAT COURT WHICH FOR THE MOST PART, IN HIS OPINION, HAVE BEEN UPSETTING PROVEN LEGAL PROCEDURES.

END PAGE TEN

PAGE ELEVEN

HOUSE OF DELEGATES MEETS MONDAY AND TUESDAY, FEBRUARY
EIGHT AND NINE. SUMMARY OF PERTINENT ACTION WILL BE
SUBMITTED IN SUBSEQUENT TELETYPES.

CORR:

~~PAGE FOUR, LINE ONE, WORD ONE SHD BE TWENTY~~

~~PAGE FOUR, LINE THREE, WORD FOUR SHD BE PROBLEM~~

~~PAGE SEVEN, LINE FIFTEEN, WORD FIVE SHD BE REASONS~~

~~PAGE EIGHT, LINE SIX, WORD ONE SHD BE TO~~

~~PAGE EIGHT, LINE SEVEN, WORDS SEVEN AND EIGHT SHD BE INTERNAL SECURITY~~

~~PAGE TEN, LINE TWO, WORD TWO SHD BE ECONOMICAL~~

END.

WA..SXC

FBI WASH DC

CLR

cc. m. Felt

MIDTOWN OFFICE
280 PARK AVENUE
NEW YORK, N. Y. 10017

EUROPEAN OFFICE
20, PLACE VENDÔME, PARIS 1^{er}
TELEPHONE: 073 88-56

WHITE & CASE
14 WALL STREET
NEW YORK, N. Y. 10005

TELEPHONE
RECTOR 2-1040

CABLES
WHITECASE, NEW YORK
WHITECASE, PARIS

Mr. Tolson ✓
Mr. Belmont ✓
Mr. Mohr ✓
Mr. DeLoach ✓
Mr. Casper ✓
Mr. Callahan ✓
Mr. Conrad ✓
Mr. Felt ✓
Mr. Gale ✓
Mr. Rosen ✓
Mr. Sullivan ✓
Mr. Tavel ✓
Mr. Trotter ✓
Tele. Room ✓
Miss Holmes ✓
Miss Gandy ✓

OSM:MC

February 18, 1965

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of
Justice
Washington, D. C.

Dear Mr. Hoover:

Many thanks for your thoughtful
note of February 15th. It was kind of you
to write.

With best wishes.

Sincerely yours,

Orison S. Marden

Orison S. Marden

EX-112

REC-56

94-1-369-1941

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69 MAR 3
11-18-1965-32

no ask
8/12

Card 2 2/23/65 - L.S.

February 24, 1965

REC-131

EX-103 74-1-369-1942

Honorable Lewis F. Powell, Jr.
President
American Bar Association
Suite 460
1120 Connecticut Avenue
Washington, D. C. 20036

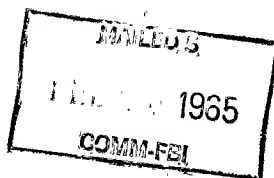
Dear Mr. Powell:

I received your letter of February 19th
inviting me to the reception and buffet dinner honoring
the lawyer members of the 89th Congress on March 10th,
and want to thank you for your interest in writing.

While I certainly appreciate the kind
invitation, a prior commitment already confirmed precludes
my having the pleasure of being with you on that date. Please
accept my best wishes for a most successful affair.

Sincerely yours,

J. Edgar Hoover



NOTE: Powell is on the Special Correspondents' List and is President
of the American Bar Association.

DFC:lsg
(4) lsg

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Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

AMERICAN BAR ASSOCIATION

1155 East 60th, Chicago, Illinois 60637

Telephone (312) 493-0533

March 3, 1965

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Hon. J. Edgar Hoover, Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535

Dear Mr. Hoover:

Thank you very much for your thoughtful letter of February 15. I certainly appreciate your good wishes.

The American Bar Association has for many years enjoyed tremendous cooperation from the fine organization which you have long so ably headed. We are most grateful for the relationship.

With best wishes, I am

Sincerely yours,



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REC 5

EX-112

94-1-369-194
18 MAR 10 1965

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no acknowledgment
file
J. Edgar Hoover



THE DOW CHEMICAL COMPANY

MIDLAND, MICHIGAN

March 3, 1965

Mr. J. Edgar Hoover
Director Federal Bureau of Investigation
Washington, D. C.

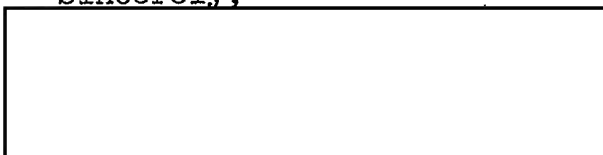
Mr. Tolson ✓
Mr. Belmont ✓
Mr. Mohr ✓
Mr. DeLoach ✓
Mr. Casper ✓
Mr. Callahan ✓
Mr. Conrad ✓
Mr. Felt ✓
Mr. Gale ✓
Mr. Rosen ✓
Mr. Sullivan ✓
Mr. Tavel ✓
Mr. Trotter ✓
Tele. Room ✓
Miss Holmes ✓
Miss Gandy ✓

Dear Mr. Hoover:

As chairman of the 1965 Law Day, U. S. A. committee of the Midland County Bar Association, I am wondering if you would want to issue an appropriate release for Law Day use. As you know, Law Day is observed May 1. Such a release could be used widely by other Bar Associations, I am sure.

Thank you for such help as you can provide.

Sincerely,



Chairman, Law Day Committee, Midland County Bar Association

The Dow Chemical Company
Patent Department
566 Building

TP/bb

ack: 3-10-65
JVA: lrm
nml

94-1-369-1945

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March 10, 1965

REC-98

94-1-367-1945

Mar 10 5 50 PM '65
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FBI

[Redacted]
Patent Department
The Dow Chemical Company
366 Building
Midland, Michigan

Dear [Redacted]

Thank you for your letter of March 3, 1965, and I appreciate your interest in writing.

With regard to your request, you may be interested in knowing that I furnished a statement in connection with the observance of Law Day to Mr. Edward W. Kuhn, Chairman, Law Day USA Sub-Committee, American Bar Association, 1155 East 60th, Chicago, Illinois. I suggest that you communicate with him concerning the possibility of obtaining a copy of this message for use by your local Bar Association.

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Sincerely yours,

NOTE: [Redacted] is not identifiable in Bufiles. By letter 10-26-64 the Director furnished a statement on Law Day to Kuhn of the American Bar Association.

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____

JVA:lcm
(5)

56 MAR 17 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

EXECUTIVE DIRECTOR
Bert H. Early

AMERICAN BAR ASSOCIATION

1155 East 60th, Chicago, Illinois 60637

Telephone (312) 493-0533

| | |
|--------------|---|
| Mr. Tolson | ✓ |
| Mr. Belmont | ✓ |
| Mr. Mohr | ✓ |
| Mr. DeLoach | ✓ |
| Mr. Casper | ✓ |
| Mr. Callahan | ✓ |
| Mr. Conrad | ✓ |
| Mr. Felt | ✓ |
| Mr. Gale | ✓ |
| Mr. Rosen | ✓ |
| Mr. Sullivan | ✓ |
| Mr. Tavel | ✓ |
| Mr. Trotter | ✓ |
| Tele. Room | ✓ |
| Miss Holmes | ✓ |
| Miss Gandy | ✓ |

March 1, 1965

American Bar Association

TO: Members of the House of Delegates,
Section and Committee Chairmen

FROM:

H.L. 1965
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With deepest regret I must inform you of the death of Miss Ruth White, administrative secretary of the American Bar Association, which occurred Sunday evening in Passavant Memorial Hospital in Chicago. She had been ill for several months and had been in a coma since the middle of last week. *TLL*

As chief secretary of the Association for more than a quarter century, Miss White's duties included preparation of the official records and proceedings of the Board of Governors and the House of Delegates. Many of you knew her personally and are aware of the great contribution she has made to the Association through the years. You know also of the loyalty and fidelity with which she discharged her tasks and the great loss which her untimely death represents.

There will be a memorial service at 4:00 p.m., Thursday (March 4), in the First Unitarian Church, 5650 South Woodlawn Avenue, in Chicago. Rev. Jack A. Kent will officiate. The offices of the American Bar Association will close at 3:30 p.m. in order that Ruth's associates may attend the service. *M*

Ruth's sister, Margaret Bourke-White, nationally known photographer and correspondent of Life Magazine, and her brother, Roger B. White, of Cleveland, O., will attend the memorial service. Burial will be private. The family has requested that flowers be omitted, and that memorial gifts may be made to the Illinois Division, American Cancer Society, at 37 South Wabash Avenue, Chicago, Illinois, 60603.

94-1-369-1946

Miss White was 63 years old, and had been on the staff of ABA since 1937. Until stricken several months ago, she had devoted much of her free time to assisting blind college students through a reader service and in other educational activities. This was characteristic of her lifelong concern for the welfare of others.

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CORRESPONDENCE

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April 1, 1953

MEMORANDUM RE: [REDACTED]

Summary

BACKGROUND:

H.S.

[REDACTED] was born in New York on [REDACTED]. He attended St. John's University in Brooklyn, New York, and received his LL.B. degree from New York University. [REDACTED] was admitted to the bar in New York in 1938 and was appointed that same year to the staff of former District Attorney Thomas E. Dewey, continuing in that capacity until 1941 when he joined the Navy.

[REDACTED] was discharged from the Navy as a Lieutenant Commander in 1945 and returned to the staff of the district attorney of New York County where he served until 1947. [REDACTED] participated in the investigation of the Alvin Paris football bribe case, working with the present New York Police Commissioner, George Monaghan. [REDACTED] left the staff of District Attorney Frank Hogan in March, 1947, to set up his own law practice. He served as Chief Counsel of the Senate Subcommittee to Investigate Crime in the District of Columbia in 1951 and 1952.

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He is married and has two children. (62-95541-12)

INFORMATION IN BUREAU FILES:

On November 9, 1951, [REDACTED] saw the Director and requested FBI assistance in some of the matters which he [REDACTED] might be called upon to investigate in the District of Columbia. The Director advised [REDACTED] at that time that the Bureau would be glad to check its files for any information that was of such nature that it could be disseminated. [REDACTED] expressed his appreciation to the Director and said he would take advantage of this offer. The Director issued instructions that requests from [REDACTED] in connection with his duties as Chief Counsel of the Senate Subcommittee to Investigate Crime in the District of Columbia should be given prompt attention and information furnished him on a confidential basis.

74-1-369-1947
ENCLOSURE

Former Special Agent Raymond Taggart, who worked for Rosen on the investigating committee, referred to Bauman's friendly attitude toward the Bureau on several occasions. At one time, Mr. L. B. Nichols indicated to Taggart that the Bureau understood that [] had an adverse view. Taggart did not believe this and reported back that [] had nothing but the friendliest outlook toward the Bureau. [] called Mr. Nichols in order to resolve the matter and professed friendship and the desire to cooperate with the Bureau.

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It was reported to the Bureau that on the morning of March 12, 1952, Senator Herman Welker of Idaho and [] had a bitter argument. [] accused the Director of bad faith and of whitewashing the District of Columbia's crime situation and in addition, [] attacked the Director personally. Senator Welker staunchly defended the Director.

On March 12, 1952, Mr. L. B. Nichols saw Senator Welker in regard to the altercation. Welker was convinced that [] was connected in some way with [] Welker said it was a mystery among the members of the Senate subcommittee as to how [] got the job as that group's Chief Counsel. Senator Welker stated that [] was supposed to be a "bright boy" but actually did not know what he was doing. The Senator continued by saying that [] was prone to condemn everything on a sweeping basis and that [] launched into a tirade against the failure of the Bureau to cooperate in cleaning out crime in the District of Columbia.

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Senator Welker was asked whether or not [] had any realization that the Bureau's authority was limited and that the FBI did not have any general police powers. In reply to this question, Senator Welker said "that would be expecting too much for that idiot to know." As a result of the allegation concerning possible contact with [] part, the New York Office was instructed to make an immediate inquiry, and on March 13, 1953, they advised there was no indication that the two were associated.

(62-91809-37)

On March 26, 1952, the New York Office advised that through a discreet inquiry at Peter Cooper Village, New York City, where [] maintained an apartment, information was received that [] stated to the manager of the Village that [] was considering a suit against [] for their reference to him in their book, "U.S.A. Confidential." [] said her husband conferred with District Attorney Frank Hogan concerning this matter.

[redacted] is mentioned on page 350 of "U.S.A. Confidential" where the following statements appear:

"The probe was conducted by a Senate Subcommittee headed by Matt Neely of West Virginia, a political servant and ally of Bill Lias, Wheeling gambler who owes Uncle Sam \$100,000 in back taxes. The other Democrats on the Committee were Pastore of Rhode Island, elected with the aid of Mafia votes, and Kent of Wyoming, the dentist who was not there most of the time on the Kefauver Committee. The chief counsel of this new expense to the taxpayers was [redacted] a hitherto unknown New York attorney, who is a protege of Carmine De Sapio, leader of Tammany Hall and close personal friend of Frank Costello, whose Whitley liquors does business with senior Kronheim."

"The new Committee had as reference the complete record of the intelligent probe of district conditions conducted last year by Hyman Fischbach, counsel for a House Committee. He did a terrific job with little money or publicity. [redacted] also had Washington Confidential in front of him. After reckless expenditures the Senate Committee found nothing that Fischbach or we had not already printed."

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A discreet inquiry was made of [redacted] concerning the above matter on March 13, 1952, and he advised that he had received a letter from [redacted] threatening suit for libel because in "U.S.A. Confidential" [redacted] described [redacted] as a "protege of Carmine De Sapio." [redacted] said that he was unable to find out much about [redacted] except that he had been advised that [redacted] was tied up with Irving Steingut, minority leader of the New York State Assembly and a Democrat-Liberal.

It was learned that [redacted] maintained a law office at 170 Broadway, New York City, and the following names appeared on the door: [redacted]

[redacted] Inquiries by the New York Office at Dun and Bradstreet failed to show any connection between these attorneys, however, pretext telephone calls showed that [redacted] could be reached at any of the three telephone numbers listed under the names of the attorneys with whom he shared this office. In New York's memorandum of March 26, 1952, captioned [redacted] - Information Concerning" information concerning the five attorneys occupying the same office space as [redacted] was set forth.

Information of Communist affiliations was developed concerning [redacted] It was noted [redacted] was a member of the National Lawyers Guild in 1948. The New York Office files contain no derogatory information concerning the other attorneys, Max [redacted] (62-95541-13 and 14)

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On April 19, 1952, Major Robert Murray, Superintendent of the Metropolitan Police Department, Washington, D. C., advised the Washington Field Office that he had been reliably informed that [redacted] had arranged with the Chesapeake and Potomac Telephone Company to tap 150 telephone lines in the District of Columbia, including the home phones of Major Murray and two Inspectors of the Metropolitan Police Department.

Major Murray pointed out that at the time Major Robert J. Barrett retired from the Metropolitan Police Department, he turned over to Murray his Chief of Police badge, which by tradition had been handed down to the various Chiefs of Police in Washington for several years. After Murray took office, he made several changes in the Metropolitan Police Department and Barrett called Murray at his home on two occasions and was critical of the changes and said if he had known that Murray was going to make these changes he would never have given him the badge. Shortly after these telephone conversations, Murray delivered the badge to Barrett at his home. During the course of his testimony in Executive Session before the Senate Subcommittee, [redacted] went into great detail in questioning Murray concerning the difficulties he had had with Barrett regarding the badge. Murray said that this information could have been obtained only through tapping his phone.

Following his testimony, Major Murray immediately conferred with officials of the Chesapeake and Potomac Telephone Company and they reportedly made a check on his home telephone line and informed him that there was no tapping. A telephone company official told Murray that there were only three places where his phone could be tapped, and during the course of the conversation this telephone company official let slip that the phone had been tapped at one of these places, but immediately corrected himself by stating, "It could have been."

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Murray said that he recalled various conversations he had with [redacted] and that [redacted] continually stated that wire tapping should be legalized in the District of Columbia and employed in the same manner as in New York City. (62-91809-55)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Rosen

DATE: December 22, 1964

FROM : G. H. Scatterday

- 1 - Mr. Rosen - *detached*
- 1 - Mr. H. L. Edwards
- 1 - Name Check
- 1 - Mr. Brown

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Mohr _____
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Conrad _____
Felt _____
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Gandy _____

SUBJECT: ROGER J. TRAYNOR

EARL T. THOMAS

AMERICAN BAR ASSOCIATION

Pursuant to the request of Inspector H. L. Edwards, Bureau files have been reviewed concerning the captioned individuals, all of whom are attorneys.

Roger John Traynor, presently Associate Justice, Supreme Court of California, was the subject of an inquiry in July, 1956, as he had applied for a passport to travel to Czechoslovakia and Rumania. The San Francisco Office conducted a limited inquiry and advised that the names of Justice and [redacted] appeared along with other names as contributors to the Artists and Writers Luncheon in October, 1944, in the files of the Joint Anti-Fascist Refugee Committee - Spanish Refugee Appeal. In 1938 the name of Roger Traynor, Bolt Hall University of California, appeared in the files of the San Francisco chapter of the National Lawyers Guild as having paid dues to the national chapter. (105-47913)

[redacted] has not been investigated by the Bureau. [redacted] as chairman of the American Bar Association, Chicago, Illinois, by letter dated 11/16/64 asked the Director to be the principal speaker at the annual dinner of the Fellows of the American Bar Foundation to be held in New Orleans on 2/6/65. [redacted] in his letter mentioned a mutual friend, Edgar N. Eisenhower, Takoma, Washington. The Director replied that due to prior commitments already confirmed he would be unable to address the group. A reference in file pertaining to one [redacted] Illinois, may possibly be identical to the Chicago attorney [redacted] His child, name not given, in 1954 was one of the camper guests at the Cibola Ranch, San Cristobal, New Mexico, a camp previously operated by communists. Bureau files contain no other pertinent information identifiable with [redacted] (63-383-168; 100-415265) 94-1-369-1947

We have not investigated Earl T. Thomas; however, a reference in one of the files indicates that Earl T. Thomas, Jackson, Mississippi, lawyer, was elected to serve on the board of directors in 1955 of the Jackson States' Rights Association, Inc., a group formed as an anti-integration organization similar in purpose to citizens councils. Reportedly, some of Jackson, Mississippi's, outstanding citizens were leaders in the group. (105-38282-3)

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MAR 17 1965

Enclosure

Memorandum to Mr. Rosen
Re: Roger J. Traynor, Et Al.

We investigated [] at the request of the Department in December, 1954. He was being considered for the position of Assistant U. S. Attorney, Southern District of New York. He later served in this position and became head of the criminal division. No derogatory data was revealed in this investigation although it was reported that while he was counsel for a Senate subcommittee investigating crime in the District of Columbia, he was overbearing and handled witnesses improperly. While employed by the subcommittee he had a heated argument with Senator Welker, maintaining that the Director had not assisted the subcommittee in exposing crime conditions in the District of Columbia. Senator Welker defended the Director and the Bureau. Our investigation revealed that [] was a personal friend of former Attorney General William P. Rogers and Rogers confirmed this fact. (62-96529-274; 77-57283)

A reference in files submitted by the New York Office indicated that [] was a former deputy assistant district attorney under former Governor Dewey. New York indicated that a number of accusations had been made as to [] communist associations but none had been borne out by investigation. They also indicated that [] was mentioned in the book "USA - Confidential" as "hitherto unknown New York attorney who is a protege of Carmine DeSapio, a leader of Tammany Hall." (100-407066-11)

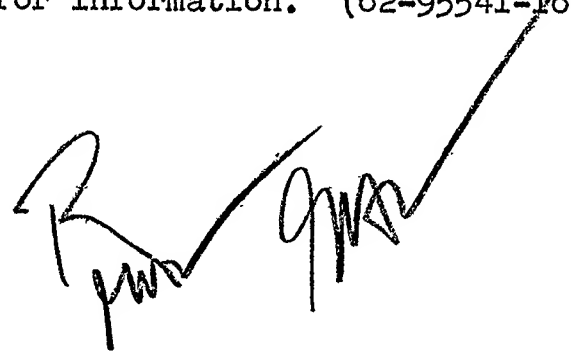
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Another reference in 1954 indicated that we had experienced some difficulty with Assistant U. S. Attorney [] Southern District of New York, when he announced his intention to interview prospective witnesses in a waterfront investigation contrary to an agreement that the FBI would talk to such persons first. We protested and [] was set straight. (94-1-10873-721)

In April, 1953, a radio commentator commented that [] was to be named by the U. S. Attorney in the Southern District of New York as chief of the criminal division of his office. At that time a summary of information in Bureau files was prepared in detail. A copy of this summary is attached for information. (62-95541-16)

ACTION:

This is for information.



UNITED STATES GOVERNMENT

Memorandum

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Tele. Room _____
Holmes _____
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TO : Mr. Felt

DATE: March 2, 1965

FROM : H. Lynn Edwards *HLW*

SUBJECT: SOVIET TEXTBOOK
"INTERNATIONAL LAW"

for During my recent attendance at the American Bar Association midyear meeting in New Orleans I spent some time with a friend of mine, [redacted] who is chairman of the Foreign Claims Settlement Commission of the United States, and also is chairman-elect of the ABA Section on International and Comparative Law. *Gen'l*

[redacted] told me that the Soviets were flooding this country with a textbook entitled, "International Law." It is a publication of the Academy of Sciences of the USSR Institute of State and Law and is designed as a textbook for use in law schools. [redacted] stated that this book would normally sell for at least \$10 but the Soviets were so anxious to have it disseminated in the United States that they are subsidizing the distribution to the extent that anyone can buy a copy of the text for \$.50 in the United States. *per Edwards from now \$1.75 with mailing. BCLH*

[redacted] stated that this text is an "eye opener" in Soviet propaganda. He has just sent me a copy of this text which is attached. *(1)*

RECOMMENDATION

That the Domestic Intelligence Division make a review of this text for the Bureau's information and any action deemed appropriate. [redacted] said that he would be glad to do anything he could to counteract the influence of this text and would be open to any suggestions I might have. Accordingly, this possibility should be kept in mind by the Domestic Intelligence Division.

*memo sent to Sullivan
same caption 3/23/65
BLH/wlg.*

Enclosure - *detached*
Domestic Intell Div
1 - Domestic Intelligence Division

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REC-15
EX-102

94-1-369-1948
18 MAR 31 1965
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Harc

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan *WCS*

FROM : Mr. R. W. Smith *RS*

SUBJECT: **SOVIET TEXTBOOK**
"INTERNATIONAL LAW"
RESEARCH - SATELLITE MATTER

1 - Mr. A. H. Belmont
1 - Mr. J. P. Mohr

DATE: 3/23/65

1 - Mr. W. M. Felt
1 - Mr. W. C. Sullivan
1 - Mr. H. L. Edwards
1 - Mr. W. A. Branigan
1 - Mr. R. W. Smith
1 -

Tolson _____
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Re H. L. Edwards to W. M. Felt memorandum 3/2/65 which furnished copy of captioned book from Chairman, Foreign Claims Settlement Commission and Chairman-elect, International and Comparative Law Section, American Bar Association (ABA). Captioned book, which was written by a team of Soviet authors and prepared in Moscow, has been reviewed.

The book's theme is to promote Soviet propaganda re "peaceful coexistence," "capitalistic imperialism and aggression," and the justification of wars for socialism.

SOVIET PEACE:

According to the text, the book "proceeds from the basic idea of international law--the peaceful coexistence with countries with differing social systems." (p 26) However, from a close reading of the book, it is evident that the phrase the "differing social systems" does not include capitalism, but actually means differing socialist systems. Capitalism, according to the text, is still reactionary and imperialistic and is in its final stage.

The book continues that "the main content of international relations since World War II has been the struggle of the two opposing trends...the U.S. monopolies' desire to establish world domination..." while the "socialist and other peace-loving countries...struggle for peaceful equal cooperation between peoples and States, for respect for national and State sovereignty and for non-intervention in internal affairs." (p 71)

SOVIET LAW HERITAGE:

The book, in order to establish a Soviet law heritage, delves back into Russian history ostensibly to prove Russian expertise in international law and the "goodness" of the Russian people, even under the Czars, as exemplified in international law. For example, Russia helped the American people to achieve and consolidate their independence; Russia's support enabled France to maintain her sovereignty; restoration of the

BLH:wlg

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CONTINUED - OVER

REC-15

18 MAR 31 1965

XEROX

APR 1 1965

Memorandum Smith to Sullivan
RE: SOVIET TEXTBOOK
"INTERNATIONAL LAW"

State independence of Greece, Rumania, Serbia and Bulgaria...were the results of Russia's war with Turkey; Russia repeatedly took the initiative in the codification of international law; Russia made a considerable contribution to the development and application of pacific legal means for the settlement of disputes, etc. (p 51-52)

With regard to the "goodness" of the Russian people, the book states "it should be emphasised that even before the emergence of the socialist State, the behaviour of Russian troops in all the wars that the Russian people had to wage in defence of their independence and honour was marked by a strict observance of the laws and customs of wars and of the principles of humanity." (p 416)

With regard to the above, it seems a bit contradictory that pre-Bolshevik Russia could be a shiny example to the world concerning peace and humaneness when at the same time the Russian people were being subjected to inhumane deprivations which ultimately brought about a revolt in March, 1917, when Russia was at war with Germany, at which time the people attempted to setup a democratic-type government. Historically, while the legal maneuvering of the Russian Czars may have resulted in benefits for others, they were still motivated by self-interest and at the expense of other nations. Russia, after all, was on the rise and the prevailing powers were attempting to restrict her influence.

WAR:

With regard to war, the following excerpts set forth the current propagandized Soviet position:

Marxism-Leninism condemns war as a means of settling international disputes and differences. However, history contains many examples of just and unjust wars. A just war is a nonpredatory war. Its aim is the defence of a people against external attacks and attempts to enslave it. Just wars include defensive wars and wars of national liberation. All progressive mankind sympathises with such wars and supports those fighting for freedom and independence.

An unjust war is a predatory war. It aims at the seizure and enslavement of foreign lands and peoples. Unjust wars include aggressive, imperialist wars. The wars against the peace-loving peoples of Korea, Viet Nam and Egypt, which aimed at the enslavement of the peoples, were aggressive and unjust.

"Progressive mankind has always condemned unjust wars and demanded the unconditional elimination of war as a means of settling disputes in international intercourse." (p 401-403)

CONTINUED - OVER

Memorandum Smith to Sullivan
RE: SOVIET TEXTBOOK
"INTERNATIONAL LAW"

Obviously, the Soviet textbook is not intended to be a scholarly work--there are relatively few footnote references and the book, in the main, deals in generalities and not specifics. Its reading level could be handled by the average high school graduate. If read uncritically and accepted at face value, it could be an effective and dangerous propaganda piece since it deals with subtle half-truths. A proper response to all the questions and issues raised would result in a voluminous amount of effort. Furthermore, any direct rebuttal would only act as a vehicle to further publicize the Soviet text. It would appear that the best method of counteracting the book's influence would be to offer a better and truthful textbook at a lower cost figure. It is noted that the Soviet textbook is being sold for \$1.75, which suggests Soviet underwriting.

It appears that the book's main danger lies in its theme of "peace." Nowadays many people see only the olive branch of peace and fail to realize that the branch is being clenched in the teeth of the bear who swallowed the dove.

RECOMMENDATIONS:

(1). For information.

(2). That in view of [] solicitation for a suggestion as to counteracting the book's influence, the idea of the ABA promoting a better and truthful text at a lower price be suggested to him. Additionally, it is suggested that [] Committee could confidentially alert the legal educational community concerning this Soviet text and any subsequent efforts by Soviets in this field.

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UNITED STATES GOVERNMENT

Memorandum

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TO : Mr. Felt

DATE: March 30, 1965

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM
COMMITTEE MEETING, SATURDAY AND SUNDAY, 4/10-11/65
WASHINGTON, D. C.

MEMBER OF SUBJECT ORGANIZATION

Chairman Morris I. Leibman of the captioned committee has called a special committee meeting at the Mayflower Hotel in Washington all day, Saturday and Sunday, 4/10-11/65. The purpose of this is to carry out ABA President Lewis Powell's desire to finalize the work on the Committee's Teacher Training Syllabus and the pamphlet which the Committee is preparing on the subject of College Campus Appearances by Gus Hall and other representatives of the Communist Party, U.S. A.

MEMBER OF SUBJECT ORGANIZATION

SA Supervisor [redacted] of the Domestic Intelligence Division who has been working closely with me on these two matters advised that he is available to attend this Committee meeting with me and Mr. Sullivan has no objection in view of [redacted] specialized knowledge and experience in this area.

Unless advised to the contrary, [redacted] and I will attend this Saturday and Sunday meeting.

1 - Mr. Sullivan (Attention: [redacted])

HLE:mbk
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REC-32

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EX-102

94-1-369-1950
CHANGED TO
62-63490-244X

JUN 2 1965

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NEWS

from the AMERICAN BAR ASSOCIATION



Committee on Public Relations

Headquarters
American Bar Center
1155 East Sixtieth St.
Chicago, Illinois 60637

Telephone
(312) 493-0533

March 9, 1965

John Shaw Field
Chairman

Don Hyndman
Director of Public Relations

For Immediate Release

ABA RELEASES NEW PUBLICATION ON COMMUNISM

Chicago -- The American Bar Association Standing Committee on Education Against Communism has released a new publication entitled "... Freedom is the Exception."

It consists of three lectures by W. C. Sullivan, assistant director of the Federal Bureau of Investigation, delivered at the Harvard University Graduate School of Business Administration in Boston, Mass.

Morris I. Leibman of Chicago, committee chairman, said "Mr. Sullivan's material should bring added strength to all of us who would prosecute the ideological contest with greater skill and vigor."

The three lectures are on the subjects, "Communism and Capitalism," "Communism and Labor," and "Communism and Freedom."

The 51-page pamphlet, Leibman explained, is part of the committee's continuing effort to provide objective and quality materials for lawyers, educators and others on the contrast between communism and liberty under law.

Single copies of the pamphlet are available free upon request to the American Bar Association, Circulation Department, 1155 East 60th Street, Chicago, Illinois 60637. Multiple copies are available in limited supply to bar associations and educational institutions.

Earlier publications of the committee include Peaceful Coexistence: A Communist Blueprint for Victory, a study based on analysis of Communist source documents. Thirty thousand copies of that publication have been distributed thus far.

94-1-369-1952
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt

DATE: March 15, 1965

FROM : H. L. Edwards

SUBJECT: ~~AMERICAN BAR ASSOCIATION'S STANDING COMMITTEE~~
ON EDUCATION AGAINST COMMUNISM

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Holmes _____
Gandy _____

Attached is a press release sent to me by the American Bar Association headquarters dated 3-9-65. It covers the issuance of a new publication, "Freedom is the Exception," by the American Bar Association's Standing Committee on Education Against Communism. This publication, which has been the subject of prior memoranda, consists of 3 lectures by Mr. Sullivan delivered at the Harvard University Graduate School of Business Administration. Prior Bureau approval was received for having the ABA Committee publish these.

I am advised that this press release was distributed to 102 Bar Journals, 95 legal dailies, all wire services, 48 principal syndicated columnists, 86 educational publications, and all news publications in Chicago, New York City, and Washington, D. C., as well as selected major papers in other cities.

ACTION:

Information.

Mr. Sullivan

HLE:mbk
(3)

ENCLOSURE

APR 13 1965

ST-110
REC-116

94-1-369-1952

APR 7 1965

TEN

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Felt *FW*
FROM : H. L. Edwards *HW*

DATE: 3-26-65

SUBJECT: *AMERICAN BAR ASSOCIATION (ABA)
STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM;
DISTRIBUTION OF PAMPHLET, "FREEDOM IS THE EXCEPTION"

H. L. Edwards

The ABA Standing Committee on Education Against Communism has already exhausted the initial printing of 10,000 copies of "... Freedom is the Exception," which is the Committee's recent publication consisting of 3 lectures by Assistant Director Sullivan, delivered at Harvard University Graduate School of Business Administration. Use of this by the Committee was given prior approval by the Director.

I was advised by the Committee Chairman, Morris *X*Leibman of Chicago, that as of last week the Committee had received over 3,000 separate letters requesting copies which could not be honored. The Bureau has also received a number of requests which cannot be handled.

Leibman told me that the West Publishing Company had subsidized the first printing. He contacted them and although willing to print a new supply they indicated they could not do it in the near future because they are tied up on other priority items. They did make available the plates to Leibman and on 3-26-65 I received a call from Chicago indicating that the Committee has now arranged with Commerce Clearinghouse in Chicago to reprint 20,000 additional copies at the Committee's expense (\$1,650).

The first 8,000 of the new supply will be available 4-2-65 and out of this 1,000 copies will be immediately sent free of charge to the Bureau for honoring any requests. The remaining 12,000 will be printed by 4-9-65 and the Bureau will get at least an additional 500 copies from this batch. If we need any more, same will be available until the supply is exhausted.

ST-110

REC-116

94-1-369-1953

Leibman indicated that the Committee is adopting the policy of limiting free copies to a maximum of 10 for any one group, such as local bar associations, etc. Copies in excess of 10 will be made available at the rate of 15¢ per copy which will go into the Committee Treasury. Leibman suggested that if the Bureau receives any requests for more than 10 copies from any one group he would be glad to have this request referred to the American Bar Center for handling in accordance with this price schedule so as to save the Bureau any difficulty.

1 - Mr. DeLoach
HLE:mbk (5)

1 - Mr. Sullivan

HW
TEN

Memorandum to Mr. Felt

Re: ABA Standing Committee on Education Against Communism
Distribution of Pamphlet, "Freedom is the Exception."

Leibman indicated that this Committee publication has received excellent editorial and press notices and it is also bringing a lot of credit to the Committee for worthwhile work in the field of education against communism.

ACTION:

Information.

Op *2/11/51*

✓

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt

DATE: March 30, 1965

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION STUDY
ON MINIMUM STANDARDS OF CRIMINAL JUSTICE

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

It will be recalled I am a member of the Advisory Committee on the Police Function which is one of the advisory committees participating in the American Bar Association (ABA) study to formulate minimum standards for the strengthening of criminal justice under the Chairmanship of U. S. Circuit Court of Appeals Judge J. Edward Lumbard of New York.

At our first committee meeting in Chicago 3-6-65 it was decided that our committee would serve as an advisory committee to the American Law Institute's study on Prearrest Procedures, and thus avoid the necessity for our committee to make a duplicate study in that area.

I have now received a letter from the American Law Institute (ALI) advising that the first meeting of the advisory committee will be held at the Marlborough-Blenheim Hotel in Atlantic City, New Jersey, Friday, June 4, through Sunday, June 6. Expenses will be born by the ALI.

The letter indicates that the purpose of this 3-day meeting will be to review the tentative draft of the model statute drawn up to date by the ALI study in the field of criminal procedure prior to the arraignment of the defendant in court, including such major problems as search and seizure, arrest, detention, police interrogation and access to the advice of counsel.

RECOMMENDATION:

That I be authorized to confirm my attendance at this scheduled meeting. Upon approval, this memorandum should be returned to me for action.

HLE:mbk
(3)

3 APR 7 1965

64 APR 23 1965

Handled 4/4/65
HLE

10 HLE

(Mount Clipping in Space Below)

Newsmen, Bar Debate Issue Of Publicity

(Indicate page, name of newspaper, city and state.)

Cincinnati Enquirer
Cincinnati, Ohio

Cincinnati Post &
Times Star
Cincinnati, Ohio

The Citizen Journal
Columbus, Ohio

18 Columbus Dispatch
Columbus, Ohio

Dayton Daily News
Dayton, Ohio

Journal Herald
Dayton, Ohio

Date: 4-10-65
Edition: Home Final
Author:
Editor:
Title:

Character:

or

Classification:

Submitting Office: Cincinnati

☐ Being Investigated14-1-369-1955
ENCLOSURE

By NED STOUT

Newsman butted heads with attorneys Fri in the Ohio State Bar Association's roundtable here on the "Fair Trial-Free Press" question.

A renewed effort by the legal profession to curb the freedom to information by the press, including radio and television, has resulted in controversy recently in New Jersey and Philadelphia.

At the root of the effort nationally is the report of the Warren Commission on the assassination of President Kennedy and the ensuing slaying of Lee Harvey Oswald, his alleged killer.

In Ohio, the 10-year-old "Sam Sheppard Case" involving a Bay Village osteopath convicted of slaying his wife after a trial that drew intensive coverage, has added a local impetus to the move.

SOME 25 PERSONS attended the day-long roundtable discussion in the Fort Hayes Hotel.

The bulk of the conferees were attorneys—either practicing lawyers, judges or prosecutors.

Representing newspapers were Raymond Dix of Wooster, president of the Ohio Newspaper Association, and the ONA's executive secretary, William Oertel; Al Dopking, chief of the Ohio bureau of the Associated Press, representing the state AP Society; Clarence J. Brown Jr., Urbana newspaper publisher and president of the Central Ohio Professional Chapter of Sigma Delta Chi journalistic society, and Dr. Marvin Perry of the Kent State School of Journalism.

ON BEHALF of radio-television newsmen, Carlton Dargusch Jr., executive director of the Ohio Association of Broadcasters, and Nick Basso (WTVN), of the Radio and TV News Directors Association, appeared.

Representatives of law enforcement — including Vandalia Police Chief Ramon Nardini, president of the Ohio Association of Chiefs of Police; Columbus Police Chief George W. Scholer; and State Highway Patrol Supt. Anson B. Cook — and of "public groups" also attended.

However, they had little to say.

AT ISSUE was a years-old breach between lawyers and newsmen.

Some attorneys believe individual rights and the cause of justice is best served if their cases come into court virtually untouched by human comment.

And, in U.S. justice, the perfect juror, one of the attorney members of the panel remarked, "is blind, deaf and dumb."

THE NEWSPAPER representatives on the panel disagreed with the premise that pre-trial publicity in criminal cases, is damaging.

Perry asserted, "Pre-trial stories involve not so much a public right as a personal right — that is, the right of an individual who is brought to trial to have the safeguard of having the public know what's being done to him."

Dopking argued:

"THE RIGHT of fair trial is a Constitutional right. There appear to be sufficient safeguards for the accused. If the press abuses its privilege, it is responsible to the laws of libel.

"We don't look for witnesses, we look for facts. We seek information. We aren't trying the case for the very reason that if we reached a conclusion, we might be wrong," Dopking explained.

Moderator of the meeting was Roger H. Smith of Toledo, president of the OSBA. Smith acknowledged he had "never tried a criminal case in (his) life."

SMITH spoke well of both the legal and the journalistic professions.

"We're both striving to achieve the same ultimate goal. Our existence is justified in that we both serve the public.

"We didn't come here to attempt to impose a code—we came to prevent such a thing," Smith added.

LESS charitable in their assaults on the press were other OSBA members and an assistant attorney general on the panel.

State Sen. Danny Johnson, D-New Philadelphia, said he has made "a hobby" of collecting cases in which he felt newspaper coverage worked against defendants.

"The paper which ran a picture of a murder victim's mother sitting, sobbing, under a tree . . . An interview in jail with a man in a dark cell. You couldn't see the man's face (on television) but he was supposed to be the defendant," Johnson said.

A VETERAN trial lawyer from Toledo, Dan H. McCullough, acknowledged that publicity-seeking attorneys and jurists were prime offenders against the service of justice.

Libel laws no longer inhibit reporters, McCullough argued.

"A jury returns for the plaintiff and then an appellate court reverses the decision," the attorney stated.

Said publisher Brown, "I'm awfully glad to know that about libel."

BROWN JOINED his fellow newspapermen on the panel in asserting that the reality of the legal process is considerably removed from the ideal.

"When does a case come to trial? Do we have to wait to publish through all the appeals?" Brown asked.

Dopking pointed out that, in pre-trial stories, an individual reporter's judgment is the best safeguard against publication of harmful information and that a personal relationship between reporter and public official is of paramount importance.

"IN MANY CASES, trials aren't held until months after the commission of a crime. If the public does not know the circumstances, how can it judge whether all the evidence has been presented—evidence has been known to be lost, witnesses sometimes disappear," the wire service chief observed.

Asst. Atty. Gen. David Kessler brought the Sheppard case into the discussion. Kessler represented the state when Sheppard finally won a habeas corpus action in federal court and was freed last summer.

A federal judge held, in ordering Sheppard released after 10 years in prison, that the defendant had been deprived of his Constitutional rights.

The court also criticized stories and editorials in "The Cleveland Press" which, it held, were inflammatory and prejudicial.

The state has appealed the decision.

KESSLER COMPLAINED

"Most of the discussion here has been about reporters. What about the problem of a publisher who writes editorials?"

While Kessler acknowledged that few cases have been reversed in the past because of pre-trial publicity, "Now the areas are beginning to exist. We've got to stop them before they grow and grow and grow."

John Rosetti, of Canton, chief of the Ohio Common Pleas Judges Association, was happy neither with attorneys and jurists who talk with reporters nor with the reporters who print their comments.

But Rosetti denied an earlier report that the judges' association will consider a press restriction "code" at its meeting in May.

PROSECUTING Attorney R. Dean James of Celina, president of the state prosecutors' association, related problems he has had with witnesses who said they were confused between what they actually saw and what they had read of incidents.

But James' association, he said, wants no formal regulations, just "understanding."

Newspaper spokesmen warned a gag on primary sources of information—such as prosecution and defense attorneys and law enforcement officers—would compel reporters to go to "secondary sources" who might not be so reliable.

The newsmen pointed out that codes of ethics exist for newspapers and broadcasters.

OSBA PANELISTS in turn, cited ethical Canon No. 20 which forbids participants in litigation from discussing details of a case with reporters. The newsmen admitted they had no way of enforcing

(Mount Clipping in Space Below)

Court Cases Gag On Press, Finds Few Supporters

COLUMBUS (AP) — Proposals to withhold information from the press in court cases until they reach trial apparently have little support in Ohio, an Ohio State Bar Association panel discussion indicated Friday.

Some 25 representatives of the legal profession, news media, police organizations and the public aired proposals similar to those adopted by the New Jersey Supreme Court.

They ban pretrial state-

ments by prosecutors, defense attorneys and law enforcement officials.

The conference was called by Roger Smith, Toledo, head of the Ohio Bar Association. Mr. Smith said a committee made up of representatives of the various groups will meet in Columbus in September to continue discussions. They also will weigh the idea of forming a permanent panel to which specific problems could be referred.

STARK COUNTY Common Pleas Judge John Rosetti, president of the Ohio Common Pleas Judges Association, told the panel he read recently in a magazine article that Ohio judges were considering a ban similar to the New Jersey proposal. "It was the first I heard of it," Judge Rosetti said.

He said he also read that the association planned to vote on the proposal at its meeting in Cincinnati next month but that no one had contacted him about it.

(Indicate page, name of newspaper, city and state.)

8 Cincinnati Enquirer
Cincinnati, Ohio
Cincinnati Post &
Times Star
Cincinnati, Ohio

The Citizen Journal
Columbus, Ohio

Columbus Dispatch
Columbus, Ohio

Dayton Daily News
Dayton, Ohio

Journal Herald
Dayton, Ohio

Date: 4/10/65

Edition: Final

Author:

Editor: Brady Black

Title:

Character:

or

Classification:

Submitting Office: Cincinnati

☐ Being Investigated

94-1-369-1955

ENCLOSURE

Judge Rosetti said the Judges Association "has many committees and perhaps it has been discussed," but added that "if they want to bring it up, they had better see the man in charge of the program."

R. Dean James of Celina, president of the Ohio Prosecuting Attorneys Association, said his organization agrees with the news media which opposes any restrictions.

"I can tell you that our organization is opposed to any regulations which we know will be broken tomorrow," Mr. James said.

AL DOPKING, Ohio Bureau chief of the Associated Press, said he failed to see the need for any restrictions because of constitutional guarantees of personal liberties.

Mr. Dopking also mentioned libel laws and said members of the news media must observe them "or go out of business."

Dan H. McCullough of Toledo, a member of the bar association's free trial-free press subcommittee, said the legal profession needs to get rid of the "publicity hounds" in its own ranks.

Some attorneys are publicity-mad because they are interested in politics. Our intention is to discipline our own ranks before we do anything else," Mr. McCullough said.

Mr. Raymond Dix, Wooster publisher and president of the Ohio Newspapers Association, told the panel: "The best rule is no rule."

(Mount Clipping in Space Below)

Pre-Trial Publicity Panel Fails to Agree

By Columbus Bureau

COLUMBUS: Whether there is need to set guidelines for news media in the handling of pre-trial publicity, chiefly in criminal cases, will be the subject of another roundtable discussion here in late September.

At a lengthy discussion here yesterday, called by a sub-committee of the criminal law committee of the Ohio State Bar Assn., there wasn't full agreement that any action is needed or what steps should be taken if action is needed.

REPRESENTATIVES of the news media, law enforcement agencies, the courts, prosecutors and religious groups at yesterday's meeting agreed they had no authority to speak except as individuals.

Each representative was asked to return to his group and ask three persons to be named to present views at a meeting some time in late September.

Discussion indicated some members of the bar have been considering suggesting the courts prevent news media from getting pre-trial

information from prosecutors, defense attorneys and law enforcement officers.

RAYMOND DIX of Wooster, president of the Ohio Newspaper Assn., said he fears publishers would be signing away a portion of their moral responsibility to the public to agree to regulations that the bar association might wish to impose.

Clarence J. Brown Jr. of Urbana, president of Central Ohio Chapter of Sigma Delta Chi, and Al Dopking, representing the Associated Press Society of Ohio, joined with Marvin Perry, professor of journalism at Kent State University, in leading the fight against restricting the press and other news media in informing the public.

(Indicate page, name of newspaper, city and state.)

Cincinnati Enquirer
Cincinnati, Ohio

Cincinnati Post &
Times Star
2 Cincinnati, Ohio

The Citizen Journal
Columbus, Ohio

Columbus Dispatch
Columbus, Ohio

Dayton Daily News
Dayton, Ohio

Journal Herald
Dayton, Ohio

Date: 4/10/65

Edition: 7 Star Final

Author:

Editor: Dick Thornburg

Title:

Character:

or

Classification:

Submitting Office: Cincinnati

☐ Being Investigated

94-1-369-1955
ENCLOSURE

(Mount Clipping in Space Below)

Newsmen, Lawyers

Clash on

'Free Press'

(Indicate page, name of newspaper, city and state.)

Cincinnati Enquirer
Cincinnati, Ohio

Cincinnati Post &
Times Star
Cincinnati, Ohio

The Citizen Journal
Columbus, Ohio

2A Columbus Dispatch
Columbus, Ohio

Dayton Daily News
Dayton, Ohio

Journal Herald
Dayton, Ohio

Date: 4-9-65
Edition: Home Final
Author:
Editor:
Title:

Character:

or

Classification:

Submitting Office: Cincinnati

☐ Being Investigated

94-1-369-1955

ENCLOSURE

By NED STOUT

Newspaper and broadcasting leaders clashed Friday with attorneys of the Ohio State Bar Association at a "Fair Trial—Free Press" round table called by the association in the Fort Hayes Hotel.

The major point at issue was "pre-trial publicity," chiefly in criminal cases.

SOME MEMBERS of the bar association are apparently toying with the idea of

suggesting court-ordered gags on the statements law enforcement officers, attorneys and judges themselves can make to reporters prior to and during a trial, similar to regulations recently imposed in New Jersey.

However, Roger H. Smith, of Toledo, president of the state bar association, told the conferees, "We are all striving to reach the same ultimate goal and need an understanding of the problems which concern all of us."

Raymond Dix of Wooster, president of the Ohio Newspaper Association, told the group that he was disturbed by the question of whether "the bar and publishers have a right to work out any restrictions along these lines."

"WOULD WE NOT be signing away a portion of our moral responsibility to the public . . . surrounding the public with such a curtain of the gathering of information

that soon no information at all would be gathered?"

Al Dopking, chief of the Association Press Ohio Bureau, who has been with AP for 30 years, said he felt the meeting was unnecessary because "the right of fair trial is a Constitutional right. It would appear sufficient safeguards do exist . . .

"I know of few instances where an innocent person has been punished because of pre-trial publicity and in cases where newspapers have

erred, they have been responsible to the law of libel."

TOLEDO TRIAL Lawyer Dan H. McCullough challenged Dopking's statement and said, "Since that Supreme Court decision, there's no such thing as an effective law of libel in this country."

Dix pointed out that "there are times when pre-trial information has to be brought out. The President made a pre-trial statement after the murder of that Detroit woman civil rights worker in Alabama."

The nationwide interest in freedom of trial and press was sparked some months ago by the Warren Commission's Report on the assassination of President Kennedy and the subsequent slaying of Lee Oswald in Dallas.

DIX SAID, "I think we're punishing ourselves wrongfully over the Dallas affair

. . . The commission did this same thing you men (attorneys) are criticizing. It convicted Oswald and (Jack) Ruby. It spent 10 months gathering information not substantially different from that which news media gathered in a matter of hours."

"The mass media kept a nation together at a time hysteria could have spread across the land. I am proud of what we did."

The AP bureau chief asserted that trials are often delayed and "if we haven't published some of this information, how will the public know that evidence is not destroyed? . . . how will the public know that it's officials are doing their jobs?"

Some 25 participants, including representatives of the public and law enforcement groups as well as those of the news and legal professions, are taking part in the day-long discussion in the hotel.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
Attention: Mr. C. D. DeLOACH

DATE: 4/13/65

FROM : SAC, CINCINNATI (80-0-2275)

SUBJECT: FREEDOM OF THE PRESS;
CURTAILMENT OF PUBLICITY IN CRIMINAL CASES;
AMERICAN BAR ASSOCIATION

| | |
|--------------|-------|
| Mr. Tolson | _____ |
| Mr. Belmont | _____ |
| Mr. Mohr | _____ |
| Mr. DeLoach | _____ |
| Mr. Casper | _____ |
| Mr. Callahan | _____ |
| Mr. Conrad | _____ |
| Mr. Felt | _____ |
| Mr. Gale | _____ |
| Mr. Rosen | _____ |
| Mr. Sullivan | _____ |
| Mr. Tavel | _____ |
| Mr. Trotter | _____ |
| Tele. Room | _____ |
| Miss Holmes | _____ |
| Miss Gandy | _____ |

The Bureau is aware that the Ohio State Bar Association planned to have an April 9 meeting in Columbus concerning curtailment of pre-trial publicity.

Per Bureau instructions, I did not attend; neither did SAC, Cleveland, or any other FBI representative.

But, FBI was well represented, unofficially, by right-thinking people representing both news media as well as attorneys, such as the President of the Ohio Prosecuting Attorneys Association.

Naturally, nobody in the Cincinnati Office had anything to do with the meeting, but it is sheer coincidence that CHARLIE SCRIPPS, Chairman of the Board, E. W. Scripps Publishing Company (Scripps-Howard) came over here and volunteered his services, as did the Editor of the Columbus Citizen Journal, officials of the Columbus Dispatch, Taft Broadcasting Company, etc. I gather that the Bar Association proponents of curtailing crime information were perhaps a bit surprised at the organized opposition they faced, particularly when they themselves were not well organized.

The meeting has been characterized as a complete waste of time. Another session is to be held September 17 or 24, date not yet set.

It is entirely probable that at that meeting the news media will again be organized and solidly represented. It is also probable they will take the attitude they have nothing whatsoever to apologize for or compromise about, and that the principal offenders are the attorneys themselves, who have not yet commenced to comply with Canon No. 20 of the Bar Association Code.

- 2 - Bureau (Enc. 3)
- 1 - Cleveland (Personal Attn. SAC). (Enc. 3)
- 1 - Cincinnati

EDM:mg

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

30 APR 15 1965

EXP. PROC.

UNRECORDED COPY FILED IN 94-1-369-

ENCLOSURE

94-1-369-1955

25 APR 15 1965

EX 109

CRIME RECORDS



It is possible that the news media, cooperating with the American Newspaper Publishers Association, will continue its study and have available specific instances where members of the Bar Association were at variance with their own Canon and responsible for abuses. RAYMOND DIX, President, Ohio Newspaper Association, took the liberty of pointing out at the meeting there are occasions when pre-trial information must be conveyed, as in the recent incident when President LYNDON B. JOHNSON personally announced the arrest of four Klansmen in Alabama for shooting a Detroit woman engaged in civil rights undertakings. The newspaper people are likely to keep a wary eye open for similar authoritative releases wherein highly-placed Governmental officials, through their actions, bolster the position advocated by Publishers.

I am informed that [redacted] Ohio Newspaper Association, Columbus, did a very fine job, as did [redacted] journalism professor from Kent State College.

[redacted] Columbus Dispatch, has about 15 pages of notes which he will type up so that the attitude, announcements, and position of each attendee may be spread upon the record. A digest will be furnished SOG.

b6
b7C

I doubt seriously that Ohio Bar Association will be able to get anything through the Ohio Legislature. The loophole of a regulation to be issued by the Ohio Supreme Court is always a threat, but perhaps this, too, can be handled.

[redacted] Toledo, President, Ohio State Bar Association, is kinda wishy-washy and fence-straddling on the whole proposition. His attitude helped lead to "no decision" April 9 and the establishment of another conclave in September.

Maybe at that time news media will propose that the newly-established Advisory Council on Police Training in Ohio (which will surely become law in the next few weeks) would be a proper medium to help train law enforcement officers in press relationships with the assistance of prosecuting attorneys and members of the working press.

CI 80-0-2275

That council, under an Executive Director to be appointed by the Governor, will be responsible to the Ohio Attorney General, who is an SAC Contact. Undoubtedly the press will exert determined opposition to any regulating of crime news, but will agree to assist in training Police on the topic of press relationships in concert with the prosecutors, so that Police will henceforth avoid releasing to the press the results of polygraph tests and whether an arrested person made a confession, or the contents thereof. Some people think this is the answer to the discussion.

Meanwhile, Cleveland should quietly, not overtly, keep an eye on attorney [redacted] of Toledo, who appears to be an aggressive proponent of curtailing pre-trial information. Any clippings that he has been trying cases in the newspapers would be a marvelous acquisition in advance of the September meeting.

b6 .
b7C

Bureau and Cleveland will be kept advised.

Of course, both offices are staying completely aloof from this controversy.

94-1-369-1956
CHANGED TO
62-63490-250

JUN 2 1965

mk-DBY

C

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt *HF*

DATE: April 22, 1965

FROM : H. L. Edwards *HLE*

SUBJECT: AMERICAN BAR ASSOCIATION
REGIONAL MEETING
SAN JUAN, PUERTO RICO
MAY 22 - 29, 1965

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____
7/1/65

The American Bar Association (ABA) has scheduled a major Regional Meeting at San Juan, Puerto Rico, beginning Saturday, May 22, and ending the following Saturday, May 29, 1965. This meeting is timed to coincide with the Fourteenth Conference of the Inter-American Bar Association which represents lawyers from the noncommunist Latin American countries.

The immediate Past President of the ABA, Walter E. ~~Craig~~, initiated the planning of this meeting so as to provide a strategic opportunity to get across to selected key lawyers in the Latin American countries the advantages of democracy in contrast to communism. Current ABA President, Lewis F. ~~Powell, Jr.~~, is carrying forward that emphasis in addition to emphasizing the fight against crime and the strengthening of the administration of criminal justice. In this latter connection, the Criminal Law Section is planning a joint program with the Family Law Section on juvenile and youth crime and delinquency with special consideration to the effects of narcotics in juvenile delinquency. It is also expected that there will be a meeting of members of the Judge Lumbard Special Committee to Formulate Minimum Standards for improving the Administration of Criminal Justice, as well as discussions pertaining to the progress of the various advisory committees looking into the specific phases. I am a member of the Advisory Committee on the Police Function. *E*

In view of the importance of this Regional Meeting and the fact that a number of activities of direct interest to the Bureau are involved, I feel it essential that I attend.

RECOMMENDATION: That I be authorized to attend the ABA Regional Meeting at San Juan, May 22 - 29, 1965. On approval, this memorandum should be returned to me for necessary action in connection with my attendance.

HLE:mbk

(4)

REC-10

94-1-369-1957
9 APR 27 1965
10/1/65

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTENTION: LYNN EDWARDS,
INSPECTION DIVISION
FROM : SAC, TAMPA (80-136)
SUBJECT: AMERICAN BAR ASSOCIATION
WILLIAM REECE SMITH, JR.

DATE: 4/19/65

For the information of the Bureau, there is transmitted herewith April 16, 1965, issue of "The Tampa Tribune," reflecting that captioned individual was awarded the annual Junior Chamber of Commerce Good Government award for his contribution to public service.

2 - Bureau (Enc. 1)
1 - Tampa
JFS:jn
(3)

REC-44

ST-108

94-1-369-1958

NOT RECORDED

9 APR 21 1965

ENCLOSURE



MAY 7 1965

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

City Attorney Gets JC Good Government Award

By JOHN MCCARTHY
Tribune Staff Writer

William Reece Smith Jr., Tampa city attorney, last night received the annual Junior Chamber of Commerce Good Government award for his contribution to public service.

The former Rhodes Scholar and president of the Tampa and Hillsborough County Bar Association received the award at a dinner at Hawaiian Village attended by a score of city and county officials along with Jaycees and wives.

J. Crockett Farnell, superintendent of public instruction, who was guest speaker, touched on local school problems and noted that quality in government or schools follows the amount of money spent for these services.

Unselfish Approach

In making the presentation, Charlie V. Downie, co-chairman, said Smith was selected for the award because of his unselfish approach to his position.

"We are told by those who have been in close contact with him," Downie said, "that no man ever gave more unswervingly of himself in an effort to assist those with whom he came in contact."

Downie said the committee felt that Smith had brought into public service a new character of professional craftsmanship.

"I feel that the rewards from public service when contrasted with drawbacks, are very small indeed," Downie said. "When we see a man who gives so much of his



SMITH

personal talents to us, it is only right that he be appropriately honored by us."

Smith also received the Tampa Jaycee Distinguished Service award in 1961 for his

outstanding contributions to the community.

A native of Athens, Tenn., Smith was educated in Hillsborough County schools and received his BS degree from the University of South Carolina. He received his law degree from the University of Florida.

Smith also served on the faculties of both the University of Florida and Stetson University. He entered private practice in 1953.

He was president of the Tampa Philharmonic Association from 1954 to 1960. He also was president of the local chapter of the United Cerebral Palsy Association, in addition to serving on the boards of the Red Cross and the Cancer Society.

(Indicate page, name of newspaper, city and state.)

1b The Tampa Tribune
Tampa, Florida

Date: 4/16/65

Edition:

Author: John McCarthy

Editor: James A. Clendinen

Title:

Character:

or

Classification:

Submitting Office: Tampa

☐ Being Investigated

94-1-369-1958
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach ☒ _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : MR. TOLSON

DATE: May 21, 1965

FROM : W. M. FELT *W*

SUBJECT: AMERICAN BAR ASSOCIATION REGIONAL MEETING
AND INTER-AMERICAN BAR ASSOCIATION MEETING
SAN JUAN, PUERTO RICO, MAY 22-29, 1965

Pursuant to instructions of Mr. Mohr, Edwards advised Assistant Director Felt that Felt should cover the American Bar Association Regional Meeting and the Inter-American Bar Association Meeting which are being concurrently held in San Juan, May 22-29, 1965. Although Mr. Felt is not a member of the American Bar Association, he is a member of the Bar and through arrangements with contacts of Edwards he should have no difficulty in getting the necessary credentials to cover the meetings. Edwards has sent Mr. Felt appropriate background material. He was also advised, pursuant to Mr. Mohr's suggestion, that he should decide whether it will be necessary for him to remain for the entire meeting, depending upon items of interest to the Bureau.

ACTION

Information.

1 - Mr. Mohr

HLE:bhg
(4)

EX 110

REC 44

94-1-369-1959

2 MAY 25 1965

XEROX
MAY 26 1965

JUN 1 1965

TEN *W*

UNRECORDED COPY FILED IN 94-1-369-1959

May 24, 1965

Honorable Edward W. Kuhn
~~5080 Raleigh-Bartlett Road~~
Memphis, Tennessee

Dear Mr. Kuhn:

I have been advised by Mr. William L.

Brown of the very generous comments concerning my
administration of the FBI which you made to him in
Oklahoma City recently. It is always a source of
encouragement to know of such staunch support, and
I want to thank you very much for your kind remarks.
It is hoped that our future endeavors continue to merit
such approbation.

MAILED 5

MAY 25 1965

COMM-FBI

Sincerely yours,

J. Edgar Hoover

- 1 - Oklahoma City - Enclosures (2)
- 1 - Memphis - Enclosures (2)
- 1 - Inspector H. Lynn Edwards - Enclosures (2)

19 MAY 26 1965

NOTE: Mr. Kuhn, president-elect of the American Bar Association,
is on the Special Correspondents' List. He is being written in appre-
ciation for his remarks that were made to William L. Brown who
wrote the Director advising him. Brown is a former clerical employee
who EOD 9-12-60 and resigned 3-17-61, services satisfactory. His
letter has been acknowledged.

KLS:kcf (6)

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

PERS. REC. UNIT

MAY 24 9 32 AM '65
FBI
READING ROOM

| | |
|--------------|---|
| Mr. Tolson | ✓ |
| Mr. Belmont | |
| Mr. Mohr | ✓ |
| Mr. DeLoach | ✓ |
| Mr. Casper | |
| Mr. Callahan | |
| Mr. Conrad | |
| Mr. Felt | |
| Mr. Gale | |
| Mr. Rosen | |
| Mr. Sullivan | |
| Mr. Tavel | |
| Mr. Trotter | |
| Tele. Room | |
| Miss Holmes | |
| Miss Gandy | |

May 16, 1965
 1731 Northwest 32nd Street
 Oklahoma City, Oklahoma

J. Edgar Hoover
 Director
 Federal Bureau of Investigation
 Washington, D. C.

Dear Mr. Hoover:

As president of the Senior Law Class of Oklahoma City University School of Law, I had the privilege of being the host at a reception in honor of the Honorable Edward W. Kuhn, president-elect of the American Bar Association. Mr. Kuhn was guest speaker at our Law Day Banquet this year.

While talking to Mr. Kuhn, I happened to mention that I had worked for the FBI before starting to Law School at O.C.U. Mr. Kuhn immediately made a number of very favorable and complimentary remarks about the FBI and in particular about your leadership.

I felt that you would be happy to hear of Mr. Kuhn's support and high esteem for you and the Bureau.

Sincerely yours,

William L. Brown
 William L. Brown

EXP. PROC.
 30 MAY 19 1965

T-102

103-01

74-1-369

1965

8 MAY 19 1965

CORRESPONDENCE

24
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 5-24-65

REC- 31

May 24, 1965

94-1-369-1961

EX-105

Mr. William L. Brown
1731 Northwest 32nd Street
Oklahoma City, Oklahoma

Dear Mr. Brown:

I have received your letter of May 16th
and I want to thank you very much for making Mr. Kuhn's
observations and remarks available to me.

Sincerely yours,
J. Edgar Hoover

1 - Oklahoma City

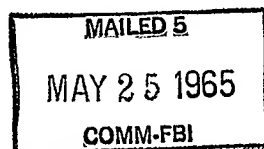
1 - Memphis

1 - Inspector H. Lynn Edwards

NOTE: Mr. Brown is a former clerical employee who EOD 9-12-60, and resigned 3-17-61, services satisfactory. Honorable Edward W. Kuhn, president-elect of the American Bar Association, is on the Special Correspondents' List and is being written separately.

KL:scf (7)

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____



JUN 3 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

May 24 9:32 AM '65
FBI
READING ROOM

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 24 1965

TELETYPE

7:36 PM AST URGENT JKL

TO DIRECTOR 11/

FROM ASSISTANT DIRECTOR FELT, *SAN JUAN*

| | |
|--------------|---|
| Mr. Tolson | |
| Mr. Belmont | ✓ |
| Mr. Mohr | ✓ |
| Mr. Casper | ✓ |
| Mr. Callahan | |
| Mr. Conrad | ✓ |
| Mr. Felt | |
| Mr. Gale | |
| Mr. Rosen | |
| Mr. Sullivan | |
| Mr. Tavel | |
| Mr. Trotter | |
| Tele. Room | |
| Mr. Nease | |
| Miss Gandy | |

44 RE AMERICAN BAR ASSOCIATION (ABA) MEETING,
SAN JUAN, PUERTO RICO, MAY TWO TWO THROUGH TWO NINE, ONE NINE SIX FIVE.
CURRENT MEETING IS COMBINED ABA REGIONAL MEETING,
TWENTY FOURTH ANNUAL CONFERENCE INTER-AMERICAN BAR ASSOCIATION
AND JUDICIAL CONFERENCE OF THE AMERICASXXX AMERICASXXX AMERICAS.
REPRESENTATIVES FROM ALL CENTRAL AND SOUTH AMERICAN COUNTRIES HERE
WITH THE EXCEPTION OF CUBA. CHIEF SUPREME COURT JUSTICE OF EACH
COUNTRY, OR REPRESENTATIVE, TO BE PRESENT FOR JUDICIAL
CONFERENCE, WITH EXCEPTION OF CUBA AND DOMINICAN REPUBLIC. SUPREME
COURT JUSTICE WILLIAM O. DOUGLAS SCHEDULED TO REPRESENT UNITED STATES.
DURING INITIAL SPEECHES CENTRAL AND SOUTH AMERICAN SPEAKERS ALL EQUATE
LAW AND JUSTICE WITH NEED TO RAISE ECONOMIC LEVEL OF THE PEOPLE.
ABA PRESIDENT LEWIS F. POWELL, JUNIOR, IN HIS REMARKS TRACED HISTORY OF
RIGHT TO COUNSEL IN CRIMINAL CASES AND OUTLINED RECENT
DEVELOPMENTS IN UNITED STATES.

ALL PERSONS CONTACTED EXPRESS EXTREMELY HIGH REGARD FOR
BUREAU. COVERAGE CONTINUING.

END

HOLD FOR MORE

11 1965

REC-10 94-1-367-1962
EX-116
2 MAY 26 1965

TEMP

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
FEB 5 1965
TELETYPE

FBI NEW ORLS

7-50 PM PM CST DEFERRED 2-5-65 RJB

TO DIRECTOR

ATTENTION: MR. FELT
FROM INSPECTOR H. L. EDWARDS

AMERICAN BAR ASSOCIATION MIDYEAR MEETING, NEW ORLEANS,
FEBRUARY THREE THROUGH NINE, SIXTYFIVE.

THIS IS A SUMMARY OF PERTINENT INFORMATION THROUGH FRIDAY
AFTERNOON, FEBRUARY FIVE, SIXTYFIVE. NO PROBLEMS OR CONTRO-
VERSIAL ISSUES ENCOUNTERED TO DATE. AMERICAN BAR ASSOCIATION
PRESIDENT, LEWIS F. POWELL, JR., IS STRONGLY EMPHASIZING
ACTION TO CHECK ALARMING RISE IN CRIME. IN A PRESS RELEASE
DISTRIBUTED AT MEETING POWELL STATED U. S. SUPREME COURT
DECISIONS IN RECENT YEARS HAVE QUOTE STRENGTHENED SIGNIFICANLY
THE RIGHTS OF ACCUSED PERSONS BUT THEY HAVE ALSO UNDOUBTEDLY
RENDERED THE TASK OF LAW ENFORCEMENT MORE DIFFICULT. THE
QUESTION IS THE DELICATE ONE OF BALANCE THE RIGHT OF SOCIETY
IN GENERAL, AND OF EACH INDIVIDUAL IN PARTICULAR, TO BE
PROTECTED FROM CRIME MUST NEVER BE SUBORDINATED TO OTHER RIGHTS.
THERE IS A GROWING BODY OF OPINION THAT THE RIGHTS OF LAW
ABIDING CITIZENS ARE BEING SUBORDINATED. THE PENDULUM MAY
HAVE SWUNG TOO FAR IN FAVOR OF AFFORDING RIGHTS WHICH ARE

END PAGE ONE

MR. MOHR FOR THE DIRECTOR

| | |
|--------------|---|
| Mr. Tolson | ✓ |
| Mr. DeLoach | ✓ |
| Mr. Mohr | ✓ |
| Mr. Bishop | ✓ |
| Mr. Casper | ✓ |
| Mr. Callahan | ✓ |
| Mr. Conrad | ✓ |
| Mr. Felt | ✓ |
| Mr. Gale | ✓ |
| Mr. Rosen | ✓ |
| Mr. Sullivan | ✓ |
| Mr. Tavel | ✓ |
| Mr. Trotter | ✓ |
| Tele. Room | ✓ |
| Mr. Holmes | ✓ |
| Miss Gandy | ✓ |

Wey

g m d

n

REC-109 44-1-37-1963

1 MAY 26 1965

*m. a. Jones to D. Blank
m. a. Jones 3-9-65
H. L. Edwards*

6 JUN 1 1965

PAGE TWO

ABUSED AND MISUSED BY CRIMINALS. THERE ARE VALID REASONS FOR CRIMINALS TO THINK THAT CRIME DOES PAY, AND THAT SLOW AND FUMBLING JUSTICE CAN BE EVADED. UNQUOTE. POWELL STATED STRONGER LAWS AND ENFORCEMENT PROCEDURES ARE NOT ENOUGH. IT IS IMPERATIVE THAT POLICE FORCES BE UPGRADED INCLUDING HIGHER EDUCATIONAL STANDARDS, HIGHER LEVEL OF COMPENSATION, BETTER EQUIPMENT, FAR MORE INTENSIVE TRAINING, INCREASE IN NUMBER AND QUALITY OF POLICE WHERE NEEDED AND LAW ENFORCEMENT DESERVES AND SHOULD BE ACCORDED PROFESSIONAL STATUS. HE EMPHASIZED THE RESULTS IN TERMS OF MONEY ALONE MAY BE A SUBSTANTIAL NET SAVINGS TO THE TAX PAYERS.

THIS MIDYEAR MEETING WILL SEEK TO OBTAIN ABA ENDORSEMENT OF LEGISLATION MAKING IT A FEDERAL CRIME TO KILL OR MAKE AN ATTEMPT ON THE LIFE OF THE PRESIDENT OR OTHER FEDERAL OFFICER IN LINE OF PRESIDENTIAL SUCCESSION. ALSO EFFORT WILL BE MADE TO STIMULATE EARLY CONGRESSIONAL ACTION ON PROPOSED CONSTITUTIONAL AMMENDMENT RE PRESIDENTIAL INABILITY AND VICE PRESIDENTAL VACANCY.

END PAGE TWO

PAGE THREE

AMERICAN BAR ASSOCIATION
THE ABA STANDING COMMITTEE ON AMERICAN CITIZENSHIP IS RECOMMENDING APPROVAL BY HOUSE OF DELEGATES OF QUOTE CANONS OF AMERICAN CITIZENSHIP UNQUOTE FORMULATED BY THE COMMITTEE. THESE CANONS ENUMERATE GENERAL PRACTICES OF GOOD CITIZENSHIP TO GUIDE AMERICANS, ESPECIALLY YOUTH AND THE NEWLY NATURALIZED CITIZEN. IF APPROVED, THE CANONS WILL BE WIDELY PUBLICIZED IN CONNECTION WITH OBSERVANCE OF CONSTITUTION DAY, SEPTEMBER SEVENTEEN, SIXTYFIVE.

THE TWO CANDIDATES STRONGLY RUMORED TO BE FRONT RUNNERS FOR NEXT PRESIDENT ELECT OF ABA ARE ONE, *AMERICAN BAR ASSOCIATION* ORISON S. ~~MARDEN~~, PROMINENT NEW YORK CITY ATTORNEY AND CURRENTLY A MEMBER OF *AMERICAN BAR ASSOCIATION* THE ABA SPECIAL COMMITTEE TO FORMULATE MINIMUM STANDARDS FOR STRENGTHENING AND IMPROVING ADMINISTRATION OF CRIMINAL JUSTICE, AND TWO, CHICAGO ATTORNEY ALBERT E. ~~JENNER~~, JR., WHO WAS A MEMBER OF THE WARREN COMMISSION. JENNER WAS AN UNSUCCESSFUL CANDIDATE LAST YEAR. SELECTION OF THE PRESIDENT ELECT WILL OCCUR TUESDAY, FEBRUARY NINE, SIXTYFIVE.

EDWARDS WAS SPEAKING PRIVATELY AND CONFIDENTIALLY WITH *AMERICAN BAR ASSOCIATION* MORRIS ~~LEIBMAN~~, CHAIRMAN OF ABA STANDING COMMITTEE ON EDUCATION AGAINST
END PAGE THREE

PAGE FOUR

COMMUNISM. LEIBMAN EXPRESSED PROFUSE THANKS FOR THE EXTENSIVE AND VERY FAVORABLE SUPPORT AND ASSISTANCE FROM THE DIRECTOR AND THE BUREAU WHICH HAS BEEN GIVEN HIS COMMITTEE TO DATE. HE SAID HE IS MAKING IT A PERSONAL PROJECT TO INSURE WHEREVER POSSIBLE THAT THE SPEECHES, ARTICLES, AND PUBLICATIONS OF HIS COMMITTEE GIVE FAVORABLE MENTION TO THE DIRECTOR/S CONTINUED EMPHASIS CONCERNING THE CONTINUING MENACE OF COMMUNISM AS WELL AS THE FACT THAT THE DIRECTOR HAS BEEN ON THE FIRING LINE IN

THE CIVIL RIGHTS BATTLE. EDWARDS MENTIONED TO LEIBMAN THE INCONSISTENCY IN THE WARREN COMMISSION REPORT WHEREBY THE COMMISSION IN EFFECT RECOMMENDED A DISSEMINATION POLICY BY THE FBI WHICH IS INCONSISTENT WITH THE CIVIL LIBERTIES STAND TAKEN BY THE U.^{United States}. S. SUPREME COURT UNDER CHIEF JUSTICE WARREN. LEIBMAN THOROUGHLY AGREED AND STATED HE WOULD LIKE TO PERSONALLY TRY TO BRING THIS FACT OUT IN A STRONG SPEECH AND ALSO HE WOULD LIKE TO TIE IN WITH THAT THOUGHT A CHALLENGE TO YOUNG LAWYERS AND LAW SCHOOL GRADUATES THAT IF THEY REALLY WANTED TO DO SOMETHING CONSTRUCTIVE IN THE CIVIL RIGHTS MOVEMENT, THEY COULD SELECT NO BETTER PLACE THAN TO SEEK

END PAGE FOUR

PAGE FIVE

EMPLOYMENT WITH THE FBI. HE SAID HE HAS ENCOUNTERED MANY YOUNG LAWYERS WHO LIKE TO TALK ABOUT BEING INTERESTED IN DOING SOMETHING TO PROMOTE CIVIL RIGHTS, BUT MOST OF THEM DO NOT REALIZE THAT THE FBI WOULD BE ONE OF THE BEST CAREERS IF THEY WERE SINCERELY INTERESTED IN DOING SOMETHING RATHER THAN JUST TALKING ABOUT IT. LEIBMAN SAID THAT TOO FEW THINKING PEOPLE IN THE COUNTRY TODAY REALIZE THAT THE DIRECTOR AND THE FBI HAVE BEEN IN THE FRONT LINE OF THE FIRING LINE FOR YEARS IN THIS MOVEMENT. LEIBMAN FEELS AN APPROACH SUCH AS HE PROPOSED WOULD BE MUCH BETTER THAN TRYING TO HAVE SOME *AMERICAN BAR ASSOCIATION* ABA COMMITTEE STUDY AND DO RESEARCH ON THIS POINT. LEIBMAN FEELS THAT ANY COMMITTEE DESIGNATED TO LOOK INTO THIS MATTER WOULD BECOME SO BOGGED DOWN THAT NO GOOD WOULD EVER COME OF IT. EDWARDS FEELS LEIBMAN/S FEELINGS AND DESIRES ON THIS MATTER ARE SINCERE AND WORTHY OF BUREAU CONSIDERATION. LEIBMAN STATED THAT IF THE BUREAU WOULD CONFIDENTIALLY MAKE AVAILABLE TO HIM SOME MATERIAL WHICH HE COULD USE AS THE BASIS FOR A STRONG SPEECH, HE WOULD FINALIZE IT INTO A SPEECH WITHIN THE NEXT SIXTY OR NINETY DAYS AND WOULD SELECT A PROPER

END PAGE FIVE

PAGE SIX

FORUM FOR DELIVERING IT, AND AFTER HE HAD IT COULD BE GIVEN
EXTENSIVE DISSEMINATION AND WOULD PROVIDE A PROPER VEHICLE FOR
WIDELY PUBLICIZING THESE POINTS AND HE FELT CONFIDENT IT
THEN WOULD BE PICKED UP BY MANY OTHER GROUPS AND BE MOST
EFFECTIVE IN ACCOMPLISHING THE DESIRABLE OBJECTIVE OF
VINDICATING THE WISE AND JUDICIOUS STAND WHICH THE BUREAU
HAD TAKEN IN THE PAST AND WHICH THE WARREN COMMISSION HAD
UNFORTUNATELY SEEN FIT TO CRITICIZE. EDWARDS RECOMMENDS
THIS MATTER BE GIVE STUDY BY CRIME RECORDS AND DOMESTIC
INTELLIGENCE DIVISIONS WITH A VIEW TOWARD PREPARING SUITABLE
MATERIAL FOR EDWARDS TO CONFIDENTIALLY DELIVER TO LEIBMAN
WHEN EDWARDS IS SCHEDULED TO BE IN CHICAGO, MARCH SIX,
SIXTYFIVE.

*Being
handl'd
8-23-65*

PERTINENT ITEMS RE FUTURE SESSIONS OF MIDYEAR MEETING
WILL BE REPORTED AS THEY OCCUR.

END

WA BMS

FBI WASH DC

TU CLR

CC-Mr. Felt

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 27 1965

TELETYPE

2-47 PM URGENT 5-27-65 HC
TO DIRECTOR 17/
FROM ASSISTANT DIRECTOR FELT 1P

| | |
|--------------|--|
| Mr. Tolson | |
| Mr. DeLoach | |
| Mr. Mohr | |
| Mr. Bishop | |
| Mr. Casper | |
| Mr. Callahan | |
| Mr. Conrad | |
| Mr. Felt | |
| Mr. Gale | |
| Mr. Rosen | |
| Mr. Sullivan | |
| Mr. Tavel | |
| Mr. Trotter | |
| Tele. Room | |
| Miss Holmes | |
| Miss Gandy | |

①
AMERICAN BAR ASSOCIATION /ABA/ MEETING, SAN JUAN, PUERTO RICO,
MAY TWO TWO THROUGH TWO NINE, ONE NINE SIX FIVE.

IN MY MESSAGE WEDNESDAY LAST DESCRIBED STATEMENTS AND ACTIONS
ATTRIBUTED TO NOEL COLON MARTINEZ, PRESIDENT OF SAN JUAN BAR
ASSOCIATION, DECRYING LACK OF PUERTO RICAN INDEPENDENCE AND
STOPPING PLAYING OF U.S. NATIONAL ANTHEM. COLON NOW STATES TO
PRESS THAT HIS REMARKS WERE MISUNDERSTOOD AND THAT WHILE HE DID
STOP PLAYING OF U.S. NATIONAL ANTHEM THIS WAS TO PERMIT PLAYING OF
ARGENTINE NATIONAL ANTHEM.

MAJOR ADDRESS WEDNESDAY EVENING WAS GIVEN BY JUSTICE WILLIAM
O. DOUGLAS, WHO, UPON INTERVIEW BY PRESS REPRESENTATIVES, DEFENDED
DECISIONS OF U.S. SUPREME COURT AND SAID COURT IS APPLYING THE
CONSTITUTION TO ALL RIGHTS OF INDIVIDUALS. HE SAID "WE ARE REALLY
LIVING MORE AND MORE UNDER THE CONSTITUTION."

END ACK PLS

WA SML

FBI WASH D C

JUN 8 1965

REC-108

94-1-367-1964
1 JUN 2 1965

MR. MOHR FOR THE DIRECTOR

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 26 1965

TELETYPE

SENT BY CODED TELETYPE

601 PM DEFERRED

5-26-65

HC

TO DIRECTOR /13/

FROM ASSISTANT DIRECTOR FELT 3P

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

AMERICAN BAR ASSOCIATION /ABA/ MEETING, SAN JUAN, PUERTO RICO,
MAY TWO TWO THROUGH TWO NINE, ONE NINE SIX FIVE.

ON TUESDAY WIDELY DIVERSIFIED ACTIVITIES OF CONVENTION
CONTINUED. NO ITEMS OF DIRECT INTEREST TO BUREAU. ON DELEGATE,
WILLIAM A. HYMAN FROM TAMPA, FLORIDA, PUBLICLY CRITICIZED JOINT
MEETING AS CONFUSING AND DILUTING ATTENTION TO BE PAID TO MANY
PROJECTS. ONE SIGNIFICANT INCIDENT OCCURRED AWAY FROM CONVENTION
TUESDAY. AT MEETING PUERTO RICAN BAR ASSOCIATION HEADQUARTERS FOR
TWENTY FIVE ARGENTINE CONVENTION DELEGATES TO CELEBRATE ARGENTINA
INDEPENDENCE DAY, NOEL COLON MARTINEZ, PRESIDENT OF PUERTO RICAN
BAR ASSOCIATION AND CONVENTION HOST, CITED PUERTO RICAN PROGRESS
BUT SAID "WE HAVE NO INDEPENDENCE DAY TO CELEBRATE. THIS ONE
MAIN PROBLEM REMAINS TO BE SOLVED." DURING MEETING COLON
STOPPED THE PLAYING OF UNITED STATES NATIONAL ANTHEM. SAN JUAN
FILES REFLECT PREVIOUS INDICATIONS OF INDEPENDENCE SYMPATHIES OF

END PAGE ONE

58 JUN 15 1965

MR. MOHR FOR THE DIRECTOR

COLON AND RECENT LIMITED CONTACT WITH JUAN MARI BRAS /BUFILE ONE ZERO FIVE DASH TWO NINE TWO AND SIX FIVE DASH SIX EIGHT THREE TWO THREE/, SECRETARY GENERAL OF THE MPIPR, A FELLOW MEMBER OF THE PUERTO RICAN BAR ASSOCIATION, INDICATING SYMPATHY FOR ~~MP~~ MPIPR CAUSE, BUT NO INDICATION OF AFFILIATION WITH THE PUERTO RICAN NATIONALIST PARTY. [REDACTED] DIRECTOR OF PUBLIC RELATIONS FOR ABA, ADVISED CONFIDENTIALLY THAT ABA OFFICIALS HEARD REPORTS OF SUCH SYMPATHIES ON PART OF COLON AND HAD BEEN CONCERNED THAT HE MIGHT EMBARRASS ABA BY ILL ADVISED REMARKS AT CONVENTION.

b6
b7C

LEROY COLLINS, DIRECTOR OF U.S. COMMUNITY RELATIONS SERVICE MAIN SPEAKER ABA BANQUET TUESDAY NIGHT, COMPARED UNREST IN DOMINICAN REPUBLIC TO THAT IN SELMA, ALABAMA. DESCRIBED WORLD-WIDE MOVEMENT "FOR HUMAN FREEDOM AND DIGNITY." SAYS COMMUNISM CANNOT BE BLAMED FOR UNREST BUT THAT REDS WILL SEEK TO GUIDE CHANGE IN THEIR DIRECTION.

IMMEDIATE PAST ABA PRESIDENT, U.S. JUDGE WALTER E. CRAIG, GAVE A DETAILED REPORT ON ANALYSIS WARREN COMMISSION FINDINGS. ONLY DIRECT REFERENCE TO FBI WAS STATEMENT THAT NO EVIDENCE LEE HARVEY OSWALD WAS INFORMANT OF "THE FBI, CIA, OR ANY OTHER AGENCY." HE SAID NOTHING NEW, IN REMARKS WEDNESDAY BEFORE THE JUDICIAL

PAGE THREE 5-26-65 NR 13

CONFERENCE, U.S. SUPREME COURT JUSTICE WILLIAM O. DOUGLAS SAID
HOPED SUCH INTER-AMERICAN MEETINGS WOULD CONTINUE AND THERE "MUST
BE A REGIME OF LAW TO TAKE THE PLACE OF FORCE IN THIS HEMISPHERE."

CONFERENCE CONTINUES THROUGH SATURDAY BUT MEETINGS FRIDAY
UNLESS ADVISED TO CONTRARY BY BUREAU
AND SATURDAY APPEAR LARGELY ORGANIZATIONAL. UACB WILL DEPART SAN
JUAN FRIDAY NEXT FOR WASHINGTON.

END ACK PLS

DO YOU READ WASH PLS ANS GA GA

JRL

FBI WASH DC

RECEIVED-67E

67E

Noted in
Comm. Sect
By REDACTED

cc Jdt
Held UNTIL 7:10 PM
CORRECTION

Leibman, Williams, Bennett and Baird

208 SOUTH LA SALLE STREET • CHICAGO 4 • FINANCIAL 6-2200

CABLE ADDRESS "CROLEX CHICAGO"

MORRIS I. LEIBMAN
D. B. WILLIAMS
RUSSELL O. BENNETT
RUSSELL M. BAIRD
LAURENS G. HASTINGS
GEORGE W. K. SNYDER
JOHN H. ROCKWELL
GALE A. CHRISTOPHER
RICHARD H. PRINS
GEORGE T. BOGERT
DAVID P. LIST
JULIAN R. WILHEIM
GEORGE J. MSLAUGHLIN, JR.
THOMAS H. MORSCH

OF COUNSEL
MAX SWIREN
JOSEPH T. ZOLINE
FRANKLIN A. CHANEN
ROBERT E. MASON
JOHN E. ROBSON
RALPH B. LONG
NEIL FLANAGIN
G. GALE ROBERSON, JR.
R. QUINCY WHITE, JR.
DONALD A. MACKAY
LEONARD A. SPALDING III
WILLIAM P. COLSON
DAVID S. MANN
EDWARD J. KIONKA
SEYMOUR TAXMAN
THOMAS H. BALDIKOSKI
JAMES L. MAROVITZ

May 31, 1964

LIFE
Life and Time Building
Rockefeller Center
New York, New York 10020

Sirs:

No one would deny, in political theory, that a reasoned case can be made for the scheduled retirement of any senior official, including Director of the FBI, Mr. J. Edgar Hoover. But, in your issue of May 22nd, Mr. Wainwright's piece is such a jumble of pique and irrelevancy that one questions the judicial temperament of the editors of LIFE. As a lawyer, long time liberal and Chairman of an American Bar Association Committee, may I be heard in your court of opinion?

Disregarding the exhibitionism and sophomoric bravado of the author's prose, what can be said of the thesis that Mr. Hoover -- admittedly a towering public servant -- has engendered a "cult" that stifles the Bureau with a "rigid reverence for past accomplishment"? When all ad hominem innuendos are set aside, there seems nothing more substantial than peculiar personal bias to cloak a threadbare charge. Objective evidence should persuade any fair-minded jury that the FBI is justly celebrated, not only in America but internationally, as the most efficient and humane law enforcement executive in the world. It is significant that, for years, senior police officers from every corner of the globe have asked the FBI for counsel and/or training.

94-1-369-1966

RECORDED

LIFE

May 31, 1964

Page 2

Even to the amateur student of law enforcement, it is evident that Mr. Hoover has endowed the Bureau with the most professional tools of management science, communications technology, personnel training and that "preventive psychology" which modern sociologists and the tax-paying public hope will be a major and humanitarian deterrent to crime. The Agents I have been privileged to meet were not "aging cops" (Wainwright's juvenile witticism) but, rather, lawyer-executives, astonishingly sensitive to the need, in an open and pluralistic society, to balance the security of the state against the rights of the individual.

If the Bureau is up-to-date in its relations with the public to achieve objectives set by Congress and the President, surely this is in harmony with all accepted practices of governmental and private entities in the modern world. Wherever, in law enforcement, confidence and voluntary cooperation can be substituted for mistrust and coercion, via public information, let us prize education above the nightstick. If, as sometimes happens, the press tends to make General Eisenhower the symbol of ten million soldiers, or Mr. Hoover the symbol of all his devoted men, the nation is not hurt by having such heroes who have earned their legitimacy. (We have so many, puffed by undeserved publicity, who have not.)

With a singular display of prejudice, Wainwright, on entire editorial page at his disposal, does not mention the FBI's current, continuous struggle with the master spies and schooled fifth columnists of the Communist Powers. Teachers and students have saluted Mr. Hoover for the scholarly analyses and temperate, though persistent, warnings in re Communist strategy and tactics scouted in his recent Masters of Deceit and A Study of Communism. One wonders if the writing of two best-selling books on a current, immediate threat to the body politic is not germane to LIFE's charge of preoccupation with "bygone battles", together with the enormously impressive record of the FBI in safeguarding the country from many of the stratagems and instruments of space age totalitarianism?

LIFE

May 31, 1964

Page 3

Wainwright quotes Mr. Hoover on Alvin Karpis, Public Enemy Number One in 1936, and adds that the FBI "suffers from nostalgia" for victories over gangland three decades ago. The reader wonders if LIFE men ever read, for example, the Harvard Business Review? They would note that Mr. Hoover presents (in the Jan-Feb, 1964 issue of that magazine) case histories, not of Chicago underworld tactics, but of contemporary, Soviet industrial espionage inside USA. Need it be emphasized that nothing could be more current or important than the efforts of Russian science to leapfrog the free world in exotic weaponry by gaining illicit access to our military and technical secrets? To distort the image of the Director and the FBI by quoting Mr. Hoover on oldtime bootleggers, as if he had not spoken loudly enough through all our yesterdays on new model hoodlums and Russian intelligence collection, is a curious exercise in what LIFE professes to abhor in "McCarthyism and Birchism".

Not only has the FBI, contrary to Wainwright's allegations, turned from conflict with John Dillinger and Baby Face Nelson to successful confrontation with the latter day Mafia and even more sophisticated practitioners of electronic espionage; it has performed these dangerously unpleasant but necessary chores to the surprising satisfaction of both liberals and conservatives (those at least who are not fanatical about their respective dogmas.)

In mass society, the restraints of family, the Judeo-Christian ethic and neighbor-help-neighbor psychology are loosened in the giant metropolis and anonymous suburbs. Increasingly, civil disobedience is regarded as a normal pressure on the courts. If "law" is not to become a medieval contest of mob passion in the streets vs. police firepower, it is imperative that federal government set the highest standard of incorruptibility and prudence cum evenhanded justice, in the troubled arena of domestic strife. Now extraordinary that the FBI under Mr. Hoover's direction has done and is doing precisely that!

LIFE

May 31, 1964

Page 4

If one is searching for a modern miracle, a caveat to the rule that power tends to corrupt, surely it relates to the manner in which the enormous prestige of the FBI has been wielded with equally vast self-discipline. If Mr. Hoover is in a sense, a national institution (in the company, perhaps, of Learned Hand, George Marshall and Douglas MacArthur), one rejoices that such a man is conjoined with the moral and legal crises of this hour.

As a general principle, even great captains should retire; but there are exceptional times when it is in the nation's manifest interests that exceptional men be retained or even recalled to active duty. Let those who hold this analogy too fanciful consider that the containing of vice lords, the capture of gangster commandos and the constant counterinsurgency that must be waged against internal Communism are forms of "limited war". When there is added to these missions the responsibility for monitoring and moderating civil disorders (with American citizens on both sides of the riot) it is apparent that civilian policing is the most complicated form of national defense, with the presumption of innocence and the Bill of Rights sheltering the "aggressor" on every yard of our legal terrain. How fortunate in those circumstances that the Director of our FBI is so attuned to the philosophy of civil rights and the separation of powers.

" *** Freedom of dissent is a great heritage of America which we must treasure. *** "

"The majesty of the law, in today's world, is not just a figure of speech or a rhetorical flourish. It is the diadem of American freedom, the reality which distinguishes us from tyranny. *** "
["Shall It Be Law or Tyranny", J. Edgar Hoover, reprint from ABA Journal, February 1962.]

It is with respect to "sedition", not alone "criminality" that liberal philosophers should join conservative protagonists of limited government in cherishing the good fortune that has placed Mr. Hoover in charge of the

difficult and thankless task of checking subversion without impairing dissent. A man with less force of character might have trimmed some sails to the variable winds of public opinion that favored, alternately: indifference, persecution, amnesty, witch-hunts, tolerance and cautious cooperation. Giving in to pressures for total repression or naive forgiveness could have polarized the nation into irreconcilable blocs indicting each other with cries of "fascism" and "treason". That we can still produce a liberal-conservative consensus on opposing Communism rationaly is, in no small measure, a tribute to Mr. Hoover's forthrightness and balance in an arena of controversy.

The following quote from the ABA Journal (Feb., 1962) is typical of Mr. Hoover's support for Sidney Hook's distinction between heresy and conspiracy:

"An analysis of communist tactics in undermining the laws of our land should give us an insight into how to cope with this danger. The answer must be an increased reliance on law, a renewed faith in the democratic processes of government. Just because the communists have no respect for law and order does not mean that we should retaliate in kind. Cries for legal shortcuts, vigilante methods and less reliance on legal processes, though based on the most patriotic of motives, are most shortsighted. These would undermine our cause. May I quote from a most distinguished American jurist, a gentleman who has had first-hand experience with communists in his courtroom. Speaking in November, 1956, before the graduating class of the FBI National Academy in Washington, D. C., Judge Harold R. Medina said:

'... I would have you always conscious of the fact that your first duty, above all others, is to maintain the integrity of our laws and our freedoms. No convictions based upon some violation of these laws or constitutional rights can possibly benefit our Nation in the long run.'

Leibman, Williams, Bennett and Baird

LIFE

May 31, 1964

Page 6

" ... Today far too many self-styled experts on communism are plying the highways of America giving erroneous and distorted information. This causes hysteria, false alarms, misplaced apprehension by many of our citizens. We need enlightenment about communism -- but this information must be factual, accurate and not tailored to echo personal idiosyncracies. To quote an old aphorism, we need more light and less heat."

We should never cease to be astonished that those officials who, in other societies, would be feared as "secret police" are, in America, eloquent spokesmen for Constitutional rights, the rule of law and the highest of moral values. It is forever to Mr. Hoover's credit that the entity he built from an obscure minor branch to a Bureau with "cabinet rank" can effectively cope with all the "dirty tricks" of racketeers and the Communist underground without falling ill to the normal occupational hazards of dealing with conspiratorial and criminal elements. So long as Mr. Hoover's health will permit him to remain in office as a national asset, those who cherish freedom must wish his influence to be undiminished.

Very truly yours,

MIL:m

Morris I. Leibman

cc: Same Addressee but via

Air Mail • Special Delivery

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. H. Belmont

DATE: June 10, 1964

FROM : Mr. W. C. Sullivan

SUBJECT: MORRIS I. LEIBMAN

CHAIRMAN

STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM
AMERICAN BAR ASSOCIATION

1 - Mr. Belmont
1 - Mr. Sullivan
1 - Mr. J.A. Sizoo
1 - Mr. D.E. Moore
1 - Mr. H.L. Edwards

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Enclosed will be found a copy of a very interesting and well written letter of six pages in which Mr. Leibman strongly denounces Loudon Wainwright's criticism of the Director in the May 22, 1964, issue of "Life" magazine.

This is such an excellent letter that some friend of the Bureau known to Mr. DeLoach might want to have reprints made. I am sure Mr. Leibman would not object at all to this.

If this matter has not already been called to the attention of the Bureau, I think that a good letter of appreciation from the Director to Mr. Leibman should be given consideration.

RECOMMENDATION:

(1) For the information of the Director.

(2) That this memorandum, with the enclosure, be forwarded to the Crime Records Division for handling.

Enclosure

WCS:djw
(5)

ENCLOSURE

amc (rel)
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sch. JH:dlc

EX-100
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June 12, 1964

EX-100

94-367-1966

Honorable Morris I. Leibman
Leibman, Williams, Bennett and Baird
208 South LaSalle Street
Chicago, Illinois 60604

JUN 22 3 32 PM '64
FBI

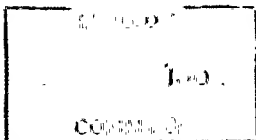
Dear Mr. Leibman:

I have seen a copy of your letter of May 31st to "Life" magazine in which you indicate your objection to Loudon Wainwright's editorial.

Your communication certainly presented an effective argument on my behalf and I want you to know how very much I appreciate your thoughtfulness in taking this publication to task. Thank you for your kind statements about my administration of the FBI. You may be sure your support means a great deal to me.

Sincerely yours,

J. Edgar Hoover



NOTE: Mr. Leibman is on the Special Correspondents' List. See Sullivan to Belmont Memo dated June 10, 1964, captioned "Standing Committee on Education Against Communism, American Bar Association."

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JUN 15 1964
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| Mr. Trotter | <input type="checkbox"/> |
| Tele. Room | <input type="checkbox"/> |
| Miss Holmes | <input type="checkbox"/> |
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AMERICAN BAR ASSOCIATION

OFFICE OF THE PRESIDENT
LEWIS F. POWELL, JR.
AMERICAN BAR CENTER
CHICAGO, ILLINOIS 60637
TELEPHONE (312) 493-0533

RICHMOND OFFICE
ELECTRIC BUILDING
RICHMOND, VIRGINIA 23212
TELEPHONE (703) MILTON 3-0141

June 5, 1965

Hon. J. Edgar Hoover
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Hoover:

I have just read your message of June 1 to law enforcement officials, and this prompts me to say once more how much I admire the splendid way in which you serve your country.

The FBI, under your leadership, has been the single most effective bulwark against both Communist subversion and major crime. Despite incredible obstacles, you continue to do a really outstanding service.

I have much appreciated the cooperation this year from Lynn Edwards, and indeed, many others in the FBI who have worked closely with the American Bar Association.

With appreciation and best wishes, I remain

Sincerely,

After 5 days return to
HUNTON, WILLIAMS, GAY, POWELL & GIBSON
Electric Building
Richmond, Virginia 23212

Lewis Powell

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June 10 1965

REC 44-1-369-1967

Honorable Lewis E. Powell, Jr.
Electric Building
Richmond, Virginia 23212

Dear Mr. Powell:

Your letter of June 5th has been received, and I am indeed encouraged to know of your continued support. I certainly appreciate the kind sentiments and generous comments concerning my administration of the FBI. It is hoped that our future endeavors continue to meet with your approval.

Inspector H. Lynn Edwards joins me in thanking you for your kind remarks.

MAILED 22
JUN 10 1965
COMM-FBI

Sincerely yours,

J. Edgar Hoover

- 1 - Chicago - Enclosure
- 1 - Richmond - Enclosure
- 1 - Inspector H. Lynn Edwards - Enclosure

NOTE: Mr. Powell is on the Special Correspondents' List. Inspector Edwards is the Bureau's liaison representative with the American Bar Association.

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt

DATE: June 22, 1965

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION STANDING COMMITTEE ON
EDUCATION AGAINST COMMUNISM; TEACHER TRAINING
SYLLABUS; "DEMOCRACY-CONFRONTS COMMUNISM IN
WORLD AFFAIRS"

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In yesterday's mail I received a copy of the teacher training syllabus on the contrast between communism and democracy which represents the completion of a 3-year project of the American Bar Association's Standing Committee on Education Against Communism. This received the final review and approval of our Committee in April, 1965, during a 2-day meeting in Washington; thereafter, it was approved by the Board of Governors of the American Bar Association at its San Juan meeting in May, 1965. They authorized having 5,000 copies printed so that same would be available for distribution and sale for use in teacher training institutes, workshops, and seminars.

As previously reported the Committee's work in doing the spade work, research, drafting, etc., was farmed out to the Institute of International Studies, University of South Carolina, under the direction of Professor [REDACTED] Director of the Institute, who is well and favorably known to the Bureau, especially Assistant Director W. C. Sullivan and myself. The work, however, is copyrighted by the American Bar Association and the preface outlines the extensive activities of the American Bar Association's Standing Committee on Education Against Communism in the field of encouraging education in the contrast between communism and liberty under law. The teacher training syllabus is very much in demand and it is believed the publication of this work will fulfill an urgent need.

There is an extensive bibliography of books, periodical articles, and recommended reading. Included are the Director's books, "Masters of Deceit" and "A Study of Communism," in addition to the Director's Harvard Business Review article, "The U. S. Businessman Faces the Soviet Spy." The Bureau cooperated extensively in the preparation and revision of pertinent portions of this syllabus without, of course, any attribution. The Director, of course, is quoted in the syllabus and his books are recommended reading for teachers and students.

ACTION: / For information.

1-ENCLOSURE

Enclosure

1 - Mr. W. C. Sullivan

HLE:mbk

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1 JUN 25 1965

TEA

UNITED STATES GOVERNMENT

C
Memorandum

TO : Mr. Felt *2*

DATE: April 6, 1965

FROM : H. L. Edwards *HLE*

O
SUBJECT: AMERICAN BAR ASSOCIATION ANNUAL MEETING
MIAMI BEACH, FLORIDA; AUGUST 8 - 14, 1965

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EDWARDS

The annual meeting of the American Bar Association (ABA) has been scheduled for Miami Beach, Florida, beginning Sunday, August 8, and terminating Saturday, August 14, 1965. In view of the necessity of getting accommodations and confirming attendance at the Section and Committee Meetings in which I am active, I am submitting this memorandum for necessary clearance.

The Criminal Law Section of which I am an officer has scheduled meetings beginning Sunday, August 8, through Wednesday, August 11. The Standing Committee on Education Against Communism of which I am also a member is also planning certain programs which will be finalized in the near future.

This annual meeting will be an extremely important one from the standpoint of criminal law and law enforcement because of ABA President Powell's emphasis on this, the President's interest in fighting crime, and the ABA's study under Judge J. Edward Lumbard to strengthen the administration of criminal justice.

RECOMMENDATION:

That I be authorized to confirm my attendance at the American Bar Association's annual meeting, Miami Beach, Florida.

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CAUTIONARY NOTE

Only the **RESOLUTION(S)** presented herein, when approved by the House of Delegates, become official policy of the American Bar Association. These are listed under the heading **RECOMMENDATION(S)**. Comments and supporting data listed under the sub-heading **REPORT** are not approved by the House in its voting and represent only the views of the Section or Committee submitting them. Reports containing **NO** recommendations (resolutions) for specific action by the House are merely informative and likewise represent only the views of the Section or Committee.

AMERICAN BAR ASSOCIATION

STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM

ANNUAL REPORT

8-17-65

With this report we complete the first three years of Committee activities, as it was in August 1962 that this House of Delegates amended the Association's By-Laws to create this Standing Committee.

The following pages summarize our continued progress. As you will note from the topical index which follows, this summary has several appendices, listing meetings and events scheduled since our Mid-Year Report in February.

94-1-369-1970

ENCLOSURE

PREFACE

It is perhaps appropriate, in the light of world events and the great debate over the critical decisions facing our nation, to re-examine the work of this Committee and the policy dimensions of the House of Delegates which created this Committee in 1962.

Resolutions adopted by the House of Delegates in August 1962 assumed two policy positions:

1. That it was essential for the Bar Association to cooperate with educators at the highest levels, i.e. post-graduate and university as well as college and secondary schools, to examine and publish in sophisticated and quality terms the complex philosophical and ideological issues involved in the continuing confrontation between democracy and communism.

2. That it was equally important to encourage the experts to analyze and define current communist tactics, strategy, objectives and capabilities, especially in the context of Soviet and/or Chinese "wars of national liberation" which are waged, won or lost in no small degree on the terrain of public opinion and in the private sphere of civic affairs.

Your Committee, upon being formed in San Francisco in August 1962, accepted those two positions and premises.

We wish to report, in all earnestness, that, based on our study of world conflict over the last three years, we conclude that formal congratulations are due the House of Delegates for its understanding and prescience in re the flow of international events.

At a time when Mr. McGeorge Bundy, the President's Special Advisor and a distinguished Harvard scholar, and the Honorable Dean Rusk, Secretary of State, are engaged in their own intellectual confrontation with some sectors of the academic world, we are pleased that we have fulfilled in part the educational mandate of the House of Delegates and, after three years of intensive effort by many people, can now present in this moment of crisis a teaching tool of superior quality and

scope representing the efforts of Dr. Richard L. Walker and the Faculty of the Institute of International Studies, University of South Carolina; Dr. William Yandell Elliott; Rev. R. J. Henle, S.J.; Dr. Gerhart Niemeyer; Dr. Stefan T. Possony; Dr. Ewing P. Shahan and Dr. Rodger W. Swearingen, as well as the members of the Committee and the Staff.

We are equally pleased to have fulfilled in part the other (strategic analysis) mandate of the House of Delegates, at a moment in history when the President of the United States is calling on our people and the whole world to understand the nuances and ambiguities of Communist covert aggression, by our support of a continuing study at university graduate levels of the operational meaning of "peaceful coexistence", i.e. class warfare, increasing propaganda, terror and twilight war.

As lawyers, representing a great Association whose dedication is to the free world and the principles of the law society, we are honored to have been selected by you to be part of an educational task force in a difficult and sometimes controversial theater where the minds and hearts of educators and lawyers can be intellectual weapons in a war for the survival of free institutions. A lawyer who has served his country as Deputy Secretary of Defense, the Honorable Roswell L. Gilpatric, has put the case for public education in the issues relevant to our responsibility most eloquently:

"Rather than a World War III, the more likely dangers in the struggle over Vietnam lie in other quarters.

"One is that the American people will prove themselves unable to endure a period of protracted struggle. As a nation, we are prone to respond quickly and strongly to traumatic events such as the sinking of the Lusitania or the attack on Pearl Harbor, but cold wars and counterinsurgency campaigns are new and untried experiences for us.

"Sensing this, the Communists make a major point of stressing the length of the struggle that lies ahead in Vietnam. The fatigue factor rather than the escalation risk of our Vietnam policy may be the Achilles heel of the U.S. position." [New York Times Magazine Section, May 30, 1965]

AUTHORITY AND SCOPE

This Committee shall study, make report and recommendations, plan and give effect to programs of education on communist tactics, strategy and objectives and encourage and support our schools and colleges in the presentation of adequate instruction on the contrast between communism and liberty under law.

[ABA By-laws, Article X, Sec. 7: (j); (2)]

The American Bar Association's House of Delegates, in August 1962, unanimously adopted the above amendment to its By-laws establishing this Standing Committee. Under this mandate the Committee has undertaken three primary projects:

- (1) A program of Bar Activities to encourage state, county and local bar associations to sponsor activities on the local community level paralleling our Committee's activities on the national scene;
- (2) A Teacher Training Institute project encouraging and supporting universities and colleges in the conduct of summer institutes for the further education of secondary school teachers in the contrast between communism and liberty under law;
- (3) A continuing research project on Communist Strategy and Tactics in consultation with scholars at various university graduate centers specializing in the study of ideology, propaganda, strategy and world affairs.

Why this concern on the part of lawyers? The first object of the American Bar Association, as stated in its Constitution, is "to uphold and defend the Constitution of the United States and maintain representative government." In our era the gravest threat to national freedom and our form of government is the international Communist movement. If the ambitions of the Communist dictators are realized, our Constitution, representative government in America, pluralism and freedom under law would be destroyed everywhere. A profession dedicated to the continuance of a "law society" cannot be indifferent to a world movement which seeks persistently to

overturn the rule of law with aggression, propaganda, subversion, treaty violations and massive expenditures for fifth columns and guerrilla insurrection.

CURRENT COMMUNIST TACTICS PROGRAM

With the approval of the Board of Governors, and as previously reported to the House of Delegates in February 1965 and August 1964, we have undertaken, in consultation with scholars at various graduate centers of study, the publication, purchase and distribution of quality studies and reprints of articles on current communist tactics, strategy and objectives. Thus, in October 1963 the Committee purchased and distributed 10,000 copies of the GENERAL ELECTRIC FORUM issue entitled "What's New in Defense". This issue contained articles on various aspects of our country's confrontation with Communism by such experts as the Honorable Robert S. McNamara, Secretary of Defense; Dr. Henry Kissinger, Center for International Affairs, Harvard University; General Lauris Norstad, USAF (Ret), former Supreme Allied Commander, Europe; and Admiral Burke, USN (Ret), Director, The Center for Strategic Studies, Georgetown University.

In February 1964, the Committee purchased and distributed 20,000 copies of an article by Mr. J. Edgar Hoover appearing in the Harvard Business Review entitled "The U.S. Businessman Faces the Soviet Spy".

Peaceful Coexistence: A Communist Blueprint for Victory

In February 1965 we reported the completion of Dr. Richard V. Allen's study for the Committee entitled Peaceful Coexistence: A Communist Blueprint for Victory and its initial release in New York City on August 7, 1964 by the then Association President, Judge Walter E. Craig. This study - based on an examination of some 11,000 pages of current Communist literature - shows that "peaceful coexistence", as defined by the Communists, is a strategy designed to increase class struggle, ideological conflict, subversion and guerrilla warfare. The initial 20,000 copies, printed and published as a gift to the Committee by West

Publishing Company, were exhausted by mid-October 1964. Thereafter, West Publishing Company generously ran a second printing of 10,000 copies in November 1964, and a third printing of 5,000 copies in May 1965.

This study has been well received by educators and the press in the United States. In addition, it has been translated into Portuguese and is finding wide acceptance in Brazil, where the challenge of Communist conflict methodology is by no means academic.

In addition, the Committee on Discussion and Debate of The National University Extension Association, which coordinates the nation-wide high school debate program, has distributed 7,000 copies of the booklet to their members and affiliates. This material is being used, therefore, in the high schools of at least 39 states, through the generosity of the National Strategy Information Center which provided these 7,000 copies to educators.

" ... Freedom is the Exception"

Pursuant to authority from the Board of Governors, the Committee published in February 1965 a pamphlet entitled " ... Freedom is the Exception". This contains three lectures given at Harvard University Graduate School of Business Administration by F.B.I. Assistant Director William C. Sullivan. The topics covered in the lectures are "Communism and Capitalism", "Communism and Labor" and "Communism and Freedom". Once again West Publishing Company generously donated the printing and publishing services necessary for the first printing of 10,000 copies.

On March 10, 1965 Ralph McGill, Editor of the Atlanta Constitution, wrote in part:

"So much nonsense, error and ignorance of the meaning and threat of communism has been thrust into the schools and into the propaganda mills of the extreme political right that three lectures on the subject by Assistant Director William C. Sullivan, of the Federal Bureau of Investigation, are strongly recommended.

"Mr. Sullivan's lectures have been published in pamphlet form as a public service by the American Bar Association's Standing Committee on Education Against Communism. One is led to hope that those more hysterical persons who are at once the most vocal and the most illiterate on the subject of communism ... will read these lectures. They offer clarity and understanding ... "

In large measure due to this editorial, we received so many requests for the pamphlet that the initial supply of 10,000 copies was exhausted by early April.

A second printing of 20,000 copies was furnished at cost by Commerce Clearing House. We are indebted to them for this service.

Democracy Confronts Communism in World Affairs

With the approval of the Board of Governors we have undertaken to sponsor the preparation of a suggested syllabus and guidelines for use by colleges and universities in conducting summer institutes, seminars and teacher workshops.

The difficulties in preparing a teachers' syllabus are formidable. For one thing, most professors of political science and international affairs (like most professors of law) teach from notes which they seldom, if ever, reduce to publication even in mimeograph format, except in skeleton outline. For another, the dynamics of World Communism amid the upheavals of a 20th Century, revolutionary world do not lend themselves comfortably to any easy or final categorization.

As has previously been reported to the House, our Committee designated Dr. Richard L. Walker, Director of the Institute of International Studies, University of South Carolina, as managing editor. Dr. Walker and his able colleagues at the Institute - assisted by critiques from, and contributions by, scholars at many other universities - volunteered to produce for the Committee a suggested syllabus, incorporating into teaching materials employed primarily at the University of South Carolina many suggestions emerging from the experience of other universities.

On May 22, 1963 the Committee announced the publication of a provisional draft edition of the syllabus, then entitled "Democracy and Communism in World Affairs". Some 1,000 copies of the provisional edition were sent to educators, lawyers and government officials to elicit evaluation and comment. Constructive comment from many sources flowed to the authors; whereupon Professor Walker and his colleagues began the laborious work of revision. A second working draft was then circulated by Dr. Walker to a select panel of outstanding experts chosen by him. Many of their comments were incorporated in the present revision, and it is expected that additional comments from an even wider spectrum of educators will be utilized in subsequent editions.

By the end of March 1965 a final working draft was ready for distribution to all Committee members for their evaluation, and on April 10 and 11, 1965 the Committee and Dr. Walker met in Washington, D. C. At this meeting the Committee reviewed the manuscript and unanimously approved the syllabus in its present form.

In order to expedite publication it was decided that the first edition of the syllabus, now entitled "Democracy Confronts Communism in World Affairs", would be varityped by the Publications Department of the American Bar Center. The first printing of 5,000 copies was released in June of this year.

Initial reaction to this teaching tool has been favorable. Dr. Merrill Hartshorn, Executive Secretary of the National Council for the Social Studies of the NEA, wrote to the committee as follows:

"Thanks for your letter of May 3 and for sending me the final draft of Democracy Confronts Communism in World Affairs. I haven't had a chance to read this all word for word yet because of a heavy travel schedule this month, but I have nevertheless gone over it with much interest.

"I must say it is an excellent presentation and I think represents, with the various materials added to the Appendix, a contribution to the field.

I was especially interested in the Appendix which contained the annotated chapter from a Soviet social science secondary school textbook. In fact, I am sending to obtain the book as a whole, because I had not known about it and for some reason it had passed me by completely.

"Thanks again for writing me about the status of this project and for keeping me informed. I look forward to seeing a copy of the final publication. Sometime this summer the National Council for the Social Studies will be publishing a much more modest book entitled A Teacher's Guide to Totalitarianism. Here we have tried to identify some of the basic generalizations about totalitarianism, and by an inductive approach suggest to teachers ways in which the nature of totalitarianism could be simply and forcibly presented to students in our schools; I could see it serving as a useful complementary volume to the much more ambitious and larger study done by Dixie Walker." (Hartshorn letter 6-1-65)

Commercial Publishing

Recognizing the difficulties involved in publication for mass distribution of the several texts (e.g. Peaceful Coexistence, "... Freedom is the Exception", and now the Syllabus), the Committee requested authority from the Board of Governors to negotiate with commercial publishers for future printing, promotion and sale of its publications. This permission was granted by the Board at their meeting on May 24, 1965 in San Juan, Puerto Rico. We are hopeful that commercial printing will begin this Fall.

TEACHER TRAINING INSTITUTE PROGRAM

In the summer of 1964 the Committee cooperated with ten colleges and universities in the conduct of summer programs to train high school social studies and political science teachers in giving adequate instruction on the contrast between communism and liberty under law. This number represented an increase over 1963 of six institutes.

During the summer of 1965 we are cooperating with seventeen institutes being conducted on the following campuses (see Exs. 1 - 8):

Appalachian State Teachers College
Boone, North Carolina

Arizona State College
Flagstaff, Arizona

East Carolina College
Greenville, North Carolina

College of St. Thomas
St. Paul, Minnesota

Freedoms Foundation/George Washington University
Valley Forge, Pennsylvania

Georgia Southern College
Statesboro, Georgia

| | |
|---------------------------|---------------------|
| Abilene Christian College |] jointly sponsored |
| Hardin-Simmons University | |
| McMurray College | |
| Abilene, Texas | |

John Carroll University
Cleveland, Ohio

Kent State College
Kent, Ohio

Paterson State College
Wayne, New Jersey

St. Louis University
St. Louis, Missouri

University of Colorado
Boulder, Colorado

University of Minnesota
Minneapolis, Minnesota

University of New Mexico
Albuquerque, New Mexico

Portland State College
Portland, Oregon

Vanderbilt University
Nashville, Tennessee

Westminster College
New Wilmington, Pennsylvania

Approximately 1,000 social studies teachers from 37 states will be attending these institutes this summer. Most of the institutes offer graduate credit in the fields of education, economics and political science.

This summer, as in the past, we are providing guest lecturers participating in these institutes upon request of the directors. The following are some of the speakers:

Dr. Richard V. Allen, Chairman, Study Program on Communism, The Center for Strategic Studies, Georgetown University

Mr. Frank R. Barnett, Consulting Program Manager, ABA Standing Committee on Education Against Communism; President, National Strategy Information Center, Inc.

Admiral Arleigh Burke, USN (Ret) Director, The Center for Strategic Studies, Georgetown University

Dr. Paul C. Davis, Senior Staff Member, Center for Naval Analyses of the Franklin Institute, Institute of Naval Studies

- Dr. Lev E. Dobriansky, Professor of Economics,
Georgetown University
- Dr. Milorad M. Drachkovitch, Senior Staff Member,
The Hoover Institution on War, Revolution and
Peace, Stanford University
- Dr. William Ebenstein, Professor of Political Science,
University of California, Santa Barbara
- Dr. William Yandell Elliott, Professor Emeritus,
American University, Washington, D. C.
- Dr. William R. Kintner, Deputy Director, Foreign
Policy Research Institute, University of
Pennsylvania
- Mr. Arbor Gray, Special Agent, Federal Bureau of
Investigation
- Dr. Raymond W. Miller, Committee member, Visiting
Lecturer, Harvard University Graduate School of
Business Administration
- Rear Admiral William C. Mott, USN (Ret), Committee
member, Executive Vice President, U. S.
Independent Telephone Association
- Dr. Gerhart Niemeyer, Professor, Department of
Political Science, Notre Dame University
- Dr. Michael S. Pap, Director, Institute for Soviet
and East European Studies, John Carroll University
- Dr. Stefan T. Possony, Director, International Studies
Program, Hoover Institution on War, Revolution
and Peace, Stanford University
- Dr. Ewing P. Shahan, Professor of Economics and
Business Administration, Vanderbilt University
- Dr. Richard F. Staar, Professor of Political Science,
Emory University

Dr. Rodger Swearingen, Director, Research Institute
on Communist Strategy and Propaganda, University
of Southern California

The value of the program is illustrated by the
following quotes from educators:

"Again let me tell you how much we appreciate the
cooperation of the American Bar Association. ... We
are certain that each workshop is an improvement over
the previous one because of the experience that we
gain." [Ltr to the Committee of 10/27/64 from
Dr. Virgil W. Gillenwater, Arizona State College,
Flagstaff, Arizona]

"... our most successful workshops for teachers
on Democracy Versus Communism. This last summer would
have remained a paper project without the moral and
financial support from the American Bar Association."
[Ltr to the Committee of 10/14/64 from Dr. Michael S.
Pap, Institute for Soviet and East European Studies,
John Carroll University, Cleveland, Ohio]

"A very important factor contributing to its
success (summer institute) was the assistance extended
to us by the Standing Committee on Education Against
Communism. ... " [Ltr to the Committee of 8/31/64
from Dr. William F. Troutman, Appalachian State Teacher
College, Boone, North Carolina]

President-Elect Ed Kuhn on the occasion of a Law
Day Luncheon held in Dallas on April 30, 1965 said, in part:

"With the great rise in literacy within recent
years and the ability to reach the masses through
instantaneous communication it is necessary that the
people understand the meaning of freedom - not to
blindly follow in ignorance. Education, therefore,
is the solution to mankind's struggle for the more
sensible and the better life. Therefore, I propose

to discuss today the work of the American Bar Association's Standing Committee on Education Against Communism. I do so with deep pride in my profession because it is the only national organization of any standing that has a definite, positive and systematic program for the education of our students in the contrast between freedom and totalitarianism. Before doing so we asked ourselves if this was necessary. ... lawyers should be concerned with both Communism and education. For the rule of law is the most important safeguard against modern totalitarianism and education is the mainstay of the rule of law."

President Lewis F. Powell, Jr., whose understanding of the problems involved, as well as his support of the work of our Committee have meant so much, stated in his "President's Message" published in the June 1965 issue of the American Bar Journal:

"The Association's present Committee, constituted in 1962 and since led by Morris I. Leibman, has a notable record of achievement. This includes three principal areas of activity: (i) supporting university summer institutes for high school teachers; (ii) preparing or disseminating special studies; and (iii) conducting, usually in cooperation with state and local bars, briefing sessions for lawyers. ...

"This considerable program has been financed largely by grants from foundations impressed both by the quality of the Committee's work, and also by the disquieting fact that the American Bar Association is one of the relatively few responsible national organizations with a major commitment in this critical area.

"For these same reasons, the Association membership must continue to support and encourage this Committee."

BAR ACTIVITIES PROGRAM

The Committee continues to provide seminar type programs upon invitation of state and local bar associations, in conjunction with the regularly scheduled meetings, as well as before Association Regional Meetings.

On February 7, 1965, in connection with the Association's Mid-Year meeting in New Orleans, the Committee presented a two hour special "briefing" to members of the Board of Governors and invited guests. After introductory remarks by President Powell and Chairman Leibman, Mr. Frank Barnett, the Committee's Consulting Program Manager, gave a short analysis of the current geopolitical strategic and military context. Principal speakers were Dr. Richard Foster, Director, Defense Analysis Center, Stanford Research Institute, and Dr. Richard L. Walker, Director of the University of South Carolina's Institute for International Studies. Dr. Foster presented an analysis of nuclear and missile defense systems and options, illustrating the lecture with charts and other visual aids.

Dr. Walker spoke on Red Chinese military and scientific capabilities in light of their nuclear developments, accompanying his lecture with slides depicting industrial and military sites on the China mainland.

The Committee, in response to a request from the Louisiana Junior Bar Association for a speaker for its Annual Convention at Biloxi, Mississippi, on April 23, 1965 provided Dr. Richard Staar of the Department of Political Science, Emory University, who spoke on "Soviet Military Strategy - 1965". Dr. Staar also participated in a video tape television program with the President of the Louisiana Bar Association and the District Attorney of New Orleans; the topics included contrasts between Soviet and U. S. criminal law enforcement. The discussions were subsequently broadcast on Louisiana television in connection with Law Day observance.

On June 17, 1965 the Committee arranged a half-day Defense Strategy Seminar for the annual meeting of the Minnesota State Bar Association at Rochester, Minnesota. Making up the panel were Chairman Leibman, Dr. David M. Abshire, Executive Secretary, Center for Strategic Studies, Georgetown University, and General Alfred M. Gruenther, USA (Ret) and former President of the American Red Cross, who also served as the principal

luncheon speaker, addressing an audience of some one thousand lawyers and wives.

The Honorable Hubert H. Humphrey, Vice President of the United States, thoughtfully dispatched a telegram to Mr. James H. Manahan, Chairman of the Minnesota State Bar Association Committee which was host for the seminar meeting. The Vice President said, in part: I COMMEND A.B.A. AND IN PARTICULAR THE STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM WHICH PLAYS SO VITAL A ROLE IN ASSURING FULLEST UNDERSTANDING OF THE MANY COMPLEX FACETS OF THE COMMUNIST PROBLEM. The complete text of the Vice President's telegram is attached to this report as Appendix A.

In Pennsylvania C. Brewster Rhoads, President of the State Bar Association, appointed Harbaugh Miller as Chairman of the Pennsylvania Bar's Committee on Education Against Communism. At Chairman Miller's invitation, this Committee's General Counsel, Mr. Boudinot Atterbury, attended the State Bar Committee's April planning session, where plans were laid to support the ABA-sponsored teacher training institute at Westminster College, Pennsylvania. Appointment of the Pennsylvania Bar Committee followed a one-day National Strategy Workshop presented by this Committee in connection with the Pennsylvania Bar Association's 1964 annual meeting at Erie.

The New Mexico Bar Association has cooperated with this Committee in developing support for the University of New Mexico's summer institute for teacher training, and the State Bar of Texas has provided similar encouragement to the institute planned by Hardin-Simmons University, Abilene Christian and McMurray Colleges (and co-sponsored by this Committee with the Sam Rayburn Foundation).

In Florida, the State Bar's Committee on Education Against Communism under Chairman John G. McKay, Jr., who is also a member of this Committee, is cooperating with the corresponding committee of the Dade County Bar Association (Chairman, Samuel J. Powers) in an energetic Bar leadership and teacher training program that includes financing visits by teams of lawyers and high school social studies teachers to Freedoms Foundation at Valley Forge, Pennsylvania.

Also, the Cleveland Bar Association's Committee on Communist Objectives and Tactics under Chairman Joseph Johnston is cooperating with the Ohio Junior Chamber of Commerce to develop support for teacher institutes at Kent State and John Carroll Universities.

INFORMAL LIAISON WITH OTHER GROUPS

To generate wider support for teacher institutes and adult education in Communist threats to the rule of law and the open society, the Committee encourages informal liaison between members of the bar and responsible professional, fraternal, religious, labor and business groups. Leaders from education, commerce, industry and government are invited to state bar association seminars as distinguished guests and participate actively in the discussion sessions.

In areas of adult education Committee members, consultants and staff speak on the objectives, capabilities and changing tactics of Communism to various groups throughout the United States.

For example, Chairman Leibman, Committee Member William C. Mott and our Consulting Program Manager, Frank R. Barnett, participated in a National Security Seminar sponsored by the Steel Service Center Institute in Miami Beach on May 17, 1965. Committee members and Staff have continued to speak to or consult with The North Central Association of Secondary Schools and Colleges; Southern Association of Colleges and Schools; Radio Free Europe; Freedom House; Radio Liberty; the U. S. Chamber of Commerce; the Illinois State Superintendent of Public Instruction's Publications Committee on Reorganization of the Social Studies Curriculum; Freedoms Foundation at Valley Forge; the Methodist Church in North and South Carolina and Virginia; the National Association of Manufacturers; Education for Freedom, Inc. in Atlanta; the American Legion; the National Education Association; the American Society of Corporate Secretaries and the Hawaiian Employers Council.

Cooperative efforts continue, as previously reported, with such graduate research centers as The Center for Strategic Studies, Georgetown University; Institute on Communism and Constitutional Democracy, Vanderbilt University; Institute of International Studies, University of South Carolina; Hoover Institution on War, Revolution and Peace, Stanford University; The Research Institute on Communist Strategy and Propaganda, University of Southern California; and the Foreign Policy Research Institute, University of Pennsylvania.

ADMINISTRATION AND FINANCES

The leaders of the Bar have agreed for the current year to appropriate sufficient funds from the General Membership Account to finance the Committee's minimum administrative staff and operations, thus eliminating the need to expend any portion of foundation grants for this purpose. This practical vote of confidence in our program comes at an opportune moment; for, in the light of expanding opportunities to work with educators, we must make every foundation dollar do triple duty.

We are most grateful to the following foundations and individuals, whose generosity and spirit of public service have made our program possible:

W.C. and Sarah H. Bradley Foundation
Columbus, Georgia

Raymond E. and Ellen F. Crane Foundation
Miami Beach, Florida

The William H. Donner Foundation
Philadelphia, Pennsylvania

Chichester du Pont Foundation
Wilmington, Delaware

Lilly Endowment, Inc.
Indianapolis, Indiana

The Richardson Foundation
New York, New York and Greensboro, North Carolina

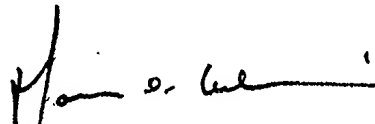
Mrs. Alan M. Scaife
Pittsburgh, Pennsylvania

In addition, the Relm Foundation of Ann Arbor, Michigan has made grants to the National Strategy Information Center which, in turn, has used some of these funds to support our teacher education program.

CONCLUSION

The Chairman wishes to take this opportunity to express his sincere thanks for the hard work of every member of the Committee and the Staff. In addition, we are all most indebted to President Powell and President-Elect Kuhn for their support of our program.

Respectfully submitted,



Morris I. Leibman
Chicago, Illinois
Chairman

AUGUST 1965

| | |
|--------------------|--------------------------|
| Buster Cole | - Bonham, Texas |
| H. Lynn Edwards | - Washington, D. C. |
| Egbert L. Haywood | - Durham, North Carolina |
| Charles S. Maddock | - Wilmington, Delaware |
| John G. McKay, Jr. | - Miami, Florida |
| Raymond W. Miller | - Washington, D. C. |
| William C. Mott | - Washington, D. C. |
| Louis B. Nichols | - New York, New York |
| Mario T. Noto | - Washington, D. C. |
| Jackson A. Wright | - Columbia, Missouri |

APPENDIX A

| DOMESTIC SERVICE | |
|--------------------------------------------------------------------------------------------|--|
| Check the class of service desired; otherwise this message will be sent as a fast telegram | |
| TELEGRAM | |
| DAY LETTER | |
| NIGHT LETTER | |

WESTERN UNION

TELEGRAM

1206 (4-55)

W. P. MARSHALL, PRESIDENT

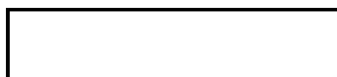
| INTERNATIONAL SERVICE | |
|-----------------------------------------------------------------------------------------|--|
| Check the class of service desired; otherwise the message will be sent at the full rate | |
| FULL RATE | |
| LETTER TELEGRAM | |
| SHORE-SHIP | |

| NO. WDS.-CL. OF SVC. | PD. OR COLL. | CASH NO. | CHARGE TO THE ACCOUNT OF | TIME FILED |
|----------------------|--------------|----------|--------------------------|------------|
| | | | | |

Send the following message, subject to the terms on back hereof, which are hereby agreed to

HUBERT H. HUMPHREY, Room 5121

June 16, 1965



ESQ.

CHAIRMAN, COMMITTEE ON EDUCATION

AGAINST COMMUNISM

CONVENTION OF MINNESOTA STATE BAR ASSOCIATION

ROCHESTER, MINNESOTA

b6
b7c

PLEASE CONVEY MY GREETINGS TO THE DISTINGUISHED SPEAKERS AND THE OUTSTANDING AUDIENCE AT THE NATIONAL DEFENSE STRATEGY SEMINAR AT OUR MINNESOTA STATE BAR ASSOCIATION ANNUAL MEETING. I COMMEND A.B.A. AND IN PARTICULAR THE STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM WHICH PLAYS SO VITAL A ROLE IN ASSURING FULLEST UNDERSTANDING OF THE MANY COMPLEX FACETS OF THE COMMUNIST PROBLEM.

I AM PROUD OF OUR MINNESOTA LEGAL PROFESSION. IT HAS ALWAYS BEEN A PACE-SETTER IN STANDARDS OF EXCELLENCE. YOUR PROGRAM TODAY PROVES ANEW THAT THE MINNESOTA BAR IS EVER ALERT TO FULFILL ITS HIGHEST PATRIOTIC DUTY.

WE ARE CONFIDENT THAT THE FREE WORLD WILL SUCCESSFULLY MEET THE CHALLENGES OF THE INTERNATIONAL COMMUNIST CONSPIRACY. OUR OWN BELOVED COUNTRY'S SUCCESS WILL DEPEND IN THE FUTURE AS IT ALWAYS HAS IN THE PAST ON DEDICATED INDIVIDUAL CITIZENS AND ORGANIZATIONS LIKE YOUR OWN.

BEST REGARDS.

HUBERT H. HUMPHREY
VICE PRESIDENT

GEORGIA SOUTHERN COLLEGE

DEPARTMENT OF HISTORY

With Visiting Professors from
GEORGIA STATE COLLEGE

SUMMER INSTITUTE

Conflicting Ideologies:

Democratic Principles and Totalitarianism

for

PUBLIC SCHOOL TEACHERS OF HISTORY

GRADES 7-12

JULY 12 - AUGUST 20, 1965

Purposes:

The premise on which a summer institute for teachers of history is founded is that every citizen of the United States should possess thorough knowledge and scholarly understanding of the basic philosophies and historical evolution of the theories of freedom and that teachers of history in the public schools should be prepared to explain freedom in American institutions intelligently and competently. Another of the objectives of the institute is to prepare teachers of history to explain communism in an intelligent manner and interpret the crises which have risen in a confrontation of freedom and totalitarianism in a modern world.

Courses of study in the institute are designed to give the history teacher an opportunity to engage in a period of intensive study on conflicting ideologies and strengthen the teacher's understanding of the history, political, social and economic developments in communist dominated countries from which come the greatest threats to democracy. The program of lectures places special emphasis on the psychological roots of totalitarianism as well as historical developments in communist dominated countries. At the same time, the participant will study the history of ideas through which he may gain a better understanding of the basic philosophic concepts underlying the structure and operation of American government and the major movements in American history out of which the American "way of life" emerges.

The summer institute in history is designed for the following specific objectives:

To provide for teachers of history:

1. an objective understanding of the history and nature of totalitarianism, especially communism, which will provide them with a basis for making a truly reflected and scholarly evaluation of totalitarianism.
2. the opportunity of probing into the nature and history of democratic principles and institutions that are the basis of a free society so that they may evaluate and understand the historical evolution of freedom in a scholarly and objective fashion and be prepared to discuss and explain the tenets of Americanism as applied through historical knowledge to their students.
3. intensive training in the study of communism and the historical development of Americanism so that history teachers may present to the students in secondary schools an opportunity to face these issues at the level of intellectual maturity which high school students demand today.
4. an opportunity to conduct seminars for history teachers in local school systems so that teachers unable to attend an institute may receive a part of the specialized training offered in the formal program. In this manner the influence of the institute will permeate entire school systems through the leadership of the specially trained teacher.

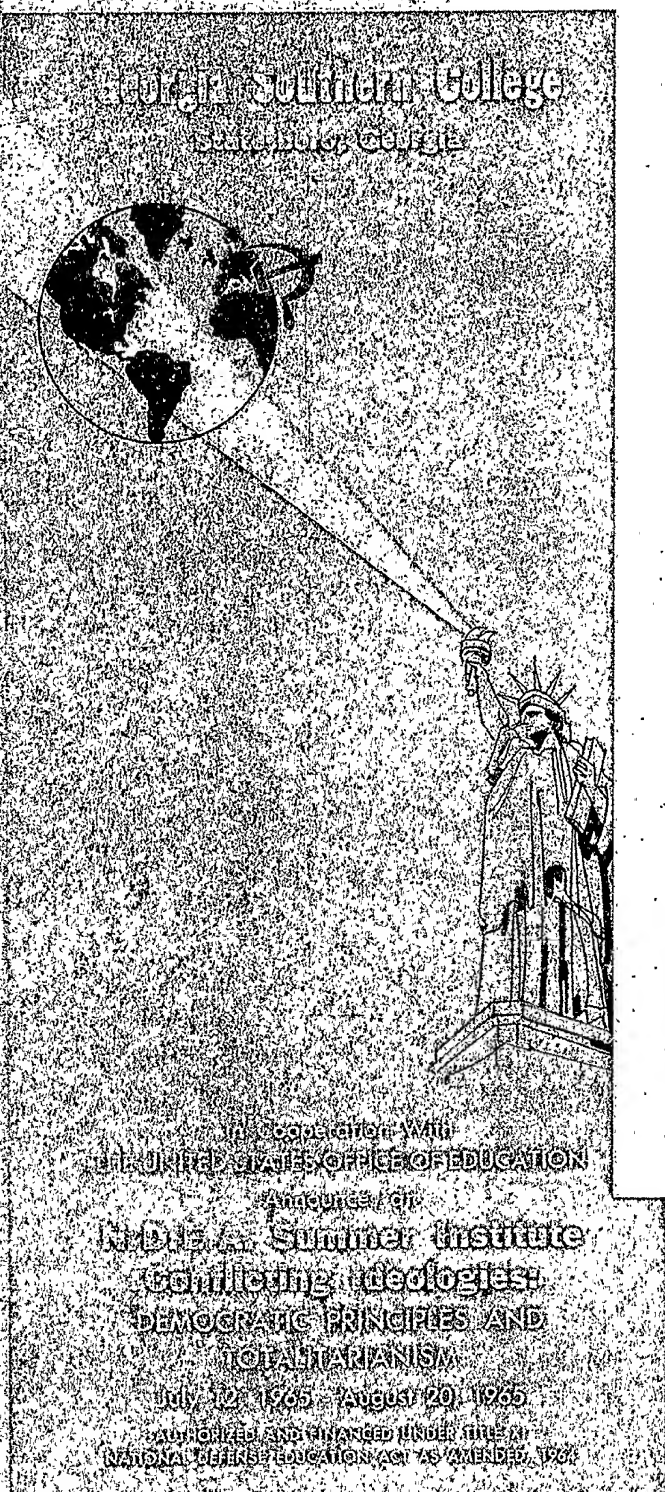
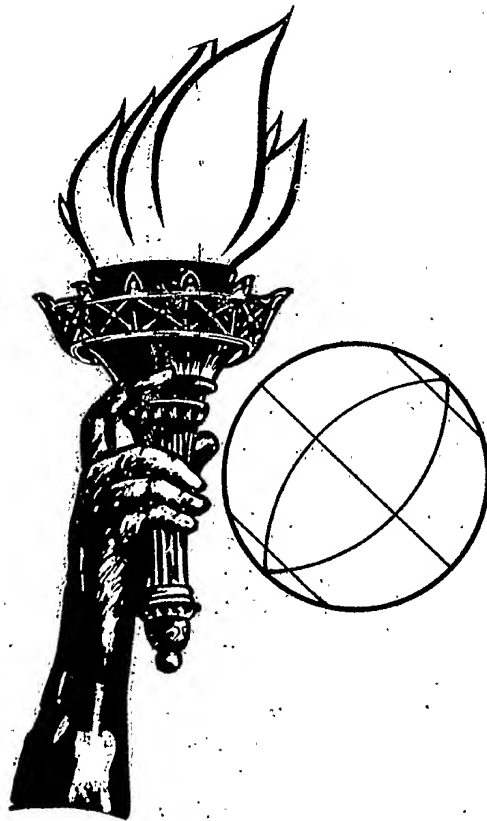


EXHIBIT 1

Appalachian State Teachers College

Boone, North Carolina



INSTITUTE ON

Constitutional Democracy and Totalitarianism

JULY 19 — 1965 — AUGUST 13

CONSTITUTIONAL DEMOCRACY AND TOTALITARIANISM

Appalachian State Teachers College

July 19 - August 13, 1965

Purposes:

The Institute is designed to prepare teachers of social studies in North Carolina to carry out the State Department of Public Instruction's new approach to teaching about communism. A graduate course in Political Science (510) carrying six quarter hours of credit has been adapted as the vehicle for a concentrated comparative study of democratic and totalitarian systems of government and politics.

The premise upon which the Institute is founded is that every citizen of the United States should become aware of the historical, philosophical, and institutional grounds upon which his freedoms rest and of the strengths and weaknesses in such foundations. It is assumed that a knowledge and an understanding of totalitarian systems can lead to a stronger appreciation of constitutional freedoms and a more critical and constructive outlook upon a world of competing ideologies. No group seems to be more suitable than teachers of social studies for the work of educating the citizenry, providing they are themselves properly prepared for such a task.

Sponsorship:

The Institute operates under the sponsorship of the North Carolina Educational Council on National Purposes, a state-wide citizens group appointed by Governor Sanford in 1962 to promote citizenship education. Following the guidelines of the Educational Council, the Institute will seek to create a "constructive program of education and information, avoiding the extremes of left or right."

Staff:

DIRECTOR

Dr. William T. Nichols
Department of Social Science
Appalachian State Teachers College
Boone, North Carolina

SAINT LOUIS UNIVERSITY

No. 29

INSTITUTE ON
FREEDOM AND COMMUNISM

OFFERS

A

Summer Program in Communism and Americanism

Co-sponsored by

The St. Louis Educational Council for
Responsible Citizenship

and

The St. Louis Council of the
Navy League of the United States

June 22 to July 30, 1965

II. Objectives of the Program

A. FREEDOM

1. To provide the participants with a scholarly understanding of the philosophical theories of freedom and their historical evolution.
2. To examine critically past and present institutions which have embodied these freedoms with particular emphasis on the United States.
3. To prepare the participants to explain freedom and its institutions intelligently and critically to high school and college students and to the public in such a way as to provide a reasoned ground for their commitment to freedom.

B. COMMUNISM

1. To provide the participants with a basic scholarly knowledge of Communism and of the major criticisms of it.
2. To provide the student with the basis for further personal study of Communism in an intelligent and objective manner.
3. To prepare the participants to explain Communism intelligently and critically to high school and college students and to the public.

EXHIBIT 3



INSTITUTE ON

Communism and Constitutional Democracy

Monday, June 14 through Friday, July 30, 1965

★ A six semester hour
graduate level course

★ Open to properly nominated
teachers of social studies
in secondary schools

Full-time Staff:• **GERHART NIEMEYER**

LL.B. and J.U.D., University of Kiel
Professor of Political Science, University of Notre Dame

• **EWING P. SHAHAN**

M.B.A., Harvard University; Ph.D., Columbia University
Professor of Economics and Business Administration,
Vanderbilt University

- Special consultants will lead discussions and give advice on materials, problems and methods

Visiting Lecturers:

- Guest speakers of distinction and authority will cover special topics.

Consultant:• **WILLIAM YANDELL ELLIOTT**

D. Phil., Oxford University
Lefoy B. Williams Professor of History and Political Science, Emeritus,
Harvard University; University Professor, American University.

UNDER a grant from Lilly Endowment, Inc., the Vanderbilt Graduate School will again offer a substantial course in the nature of communism in the summer of 1965. It will include brief studies of the theoretical foundations of contrasting American institutions and viewpoints. The Institute is intended to meet the needs of secondary schools who are faced with the problem of offering competent instruction in communism and its challenge to United States policy and institutions. Six semester hours of graduate credit may be earned by those who wish it.

THE COURSE OF STUDY covers communist ideology, the organization and methods of communist parties, the institutions of communist countries, and the crucial differences between communism and western political, economic and ethical thought. The daily program includes two one hour lectures, a one hour group discussion period and reading assignments in a substantial working library which is furnished each participant. Tape recordings of all lectures are made available to participants at the cost of reproduction. Specific topics of study include:

- The ideology of Marx and Engels.
- The doctrines and policies of Lenin.
- Post-Lenin communist thought and controversy to the present day.
- The organization, aims and methods of the communist party in the Soviet Union and other countries, including the United States.
- The international communist movement.
- Political, economic, and social institutions of the Soviet Union under communism.
- Communism in China, East Europe and Latin America.
- The theory of constitutional democracy and its contrast with communism.
- The theory of the free enterprise system.
- Moral and religious principles of the West in their contrast with communism.

EXHIBIT 4



THE GEORGE WASHINGTON UNIVERSITY College of General Studies

Announces A Three-Week Seminar on the

PRESERVATION OF THE PRINCIPLES OF FREEDOM

offered in cooperation with the
FREEDOMS FOUNDATION

at Valley Forge, Pennsylvania

JULY 5-23, 1965

OBJECTIVE

To focus attention on the fundamental freedoms upon which our American Way of Life is based and the attacks which are being made upon these freedoms.

PROGRAM

A series of lectures and discussion groups on (1) the fundamental freedoms, (2) the communist attack upon these freedoms and (3) school courses and practices designed to strengthen understanding of our freedoms and the attacks being made against them.

COOPERATING AGENCIES

The American Bar Association Standing Committee on Education against Communism and Eastern Baptist College.

ACADEMIC CREDIT

Three semester hours of graduate level credit to be awarded by The George Washington University. No auditors will be authorized.

STAFF

Director: Robert W. Eller, Ed.D., Associate Professor of Education and Assistant Dean, College of General Studies, The George Washington University.

Resident Director: Richard V. Allen, Research Principal and Chairman, Study Program on Communism, The Center for Strategic Studies, Georgetown University.

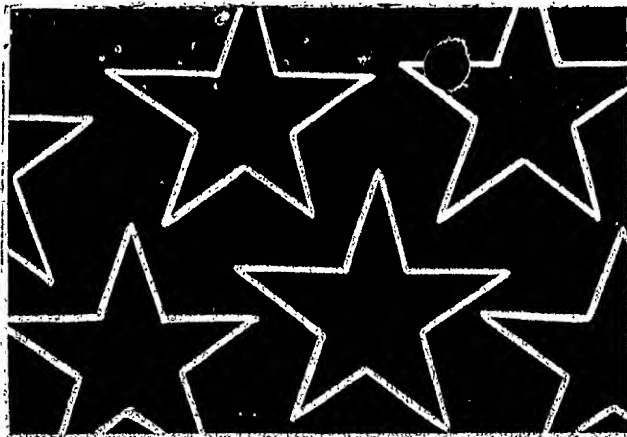
And a distinguished group of visiting lecturers from business, education and government.

COST

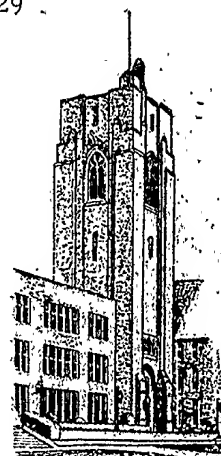
\$350 is the registration fee which will include tuition, meals, lodging, local transportation, weekend trips, and a significant bookshelf of books, pamphlets, and useful reference and teaching materials.

For Further Information, Write to:
Freedoms Foundation
Valley Forge, Pennsylvania

Address Application To:
College of General Studies (Code CS)
The George Washington University
Washington, D.C. 20006



GRADUATE WORK for Secondary Teachers of Social Studies



Westminster College NEW WILMINGTON, PENNSYLVANIA

A SIX WEEK INSTITUTE
JUNE 21 • JULY 29, 1965

A Cooperative Enterprise

The premise on which the Institute is founded is that every citizen of the United States should possess knowledge and understanding of the basic philosophies of Constitutional Democracy and Communism, the historical evolution of the theories of each and the crisis which has arisen due to the conflicting ideologies of democratic and communistic countries.

The Institute is a state-wide program endorsed by local, state and national organizations representing a cross-section of educational, professional, business, governmental and lay leaders. After counseling with many individuals and organizations, Westminster College proudly presents the first institute of its kind in Pennsylvania.

The Institute has been endorsed by the following:

Hon. William W. Scranton, Governor, Commonwealth of Pennsylvania
Department of Public Instruction, Commonwealth of Pennsylvania
American Bar Association, Standing Committee on Education Against Communism
Pennsylvania Association of Chief School Administrators
Pennsylvania Congress of Parents and Teachers Association
CODPI—County Superintendent's Liaison Group of the Department of Public Instruction
Pennsylvania School Boards Association
Pennsylvania State Education Association

Objectives

The Institute course in Communism and Constitutional Democracy is designed for self-improvement of the dedicated teacher of social studies in the secondary schools of Pennsylvania. It will provide specific units of instructions on the sources of American Democracy and the nature of Communism, its ideologies and practices. It will analyze the political, economic and social crises which Communism has created. It will offer the teacher an opportunity to study and associate with some of the distinguished experts on the subject. It will afford the teacher the time and place to discover and peruse some of the original sources on Communism. It will analyze

the United States Government and the Free World's response to the Communist challenge. It will be a medium through which teachers can explore and exchange ideas on curriculum and methods of presentation at the secondary level. It will not only prepare teachers for their own courses but will equip them to serve as resource persons and to conduct in-service training programs. It will permit the teacher to earn six semester-hours of graduate credit. Graduate credit may be applied toward certification in social studies by the Department of Public Instruction, or toward a Master's degree at Westminster College. These credits may be transferred, if approved by college or university accepting them.

ARIZONA STATE COLLEGE

THIRD ANNUAL WORKSHOP · JULY 19-AUGUST 21, 1965

COMMUNISM

ITS THEORIES, ITS STRATEGY, ITS PROPAGANDA TECHNIQUES

PURPOSES — To provide an ideological and historical background of the Communist movement and its threat to Democracy. To provide tools and techniques necessary to aid the students' understanding of Communism and its dangers to Democracy.

WHO MAY ATTEND — All interested persons, including Junior and Senior High School Teachers, School Administrators, Junior College Instructors, and Military Personnel.

STAFF AND GUEST LECTURERS —

Frank R. Barnett. President, National Strategy Information Center, Inc. Mr. Barnett is an internationally known expert on Communist Strategy.

Platt Cline. Editor, *Arizona Daily Sun*. Mr. Cline has traveled extensively throughout the areas of Europe controlled by Communists and has written both scholarly and journalistically about the problems of Communism.

Milorad Drachkovitch. Senior Staff Member, The Hoover Institution on War, Revolution and Peace, Stanford University. Professor Drachkovitch's major interests are in the unity and disunity of the Soviet Bloc and in the Communist takeover of independent states.

Bernard W. Eissenstat. Director of the Workshop on Communism and Assistant Professor of History, Arizona State College. Professor Eissenstat's special interests are in Soviet Historiography and Marxist ideology.

Roy D. Laird. Associate Professor of Political Science and Staff Member of the Slavic and Soviet Area Program, University of Kansas. Professor Laird is known both here and abroad for his work on Soviet agriculture and peasant affairs.

Stefan Possony. Director, International Political Studies Program, The Hoover Institution on War, Revolution and Peace, Stanford University. Professor Possony's interests are broad and varied, encompassing the whole of World Communism.

Rodger Swearingen. Director of the Research Institute on Communist Strategy and Propaganda, University of Southern California. Professor Swearingen is widely known for his extensive research on Communism in Europe, Asia, and the Soviet Union.

FORMAT — 1. Lectures on the fundamentals of Marxist Theory. 2. Lectures by internationally recognized authorities. 3. A series of documentary films. 4. Guided discussions. 5. Independent readings: basic and interpretive. 6. A workshop in practical application.

CREDIT — May be taken for either three (3) or six (6) hours.

REGISTRATION COSTS — \$11.25 per semester hour, plus \$3.00 service fee.

APPLICATION — Because of the nature of the Workshop and the manner in which it will function, membership will be limited. Applications should be made as early as possible by pre-registering with a \$10.00 deposit on fees.

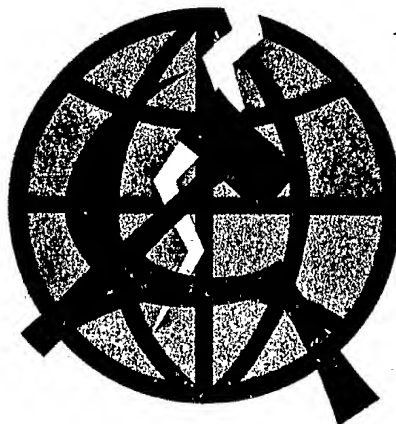


EXHIBIT 7

APPLY DIRECTLY TO THE REGISTRAR
ARIZONA STATE COLLEGE
FLAGSTAFF, ARIZONA 86001

*Presented with the
support and cooperation of the
American Bar Association.*

John Carroll University Graduate School
and the
INSTITUTE for SOVIET STUDIES
in cooperation with the
Ohio Junior Chamber of Commerce
and
The American Bar Association
present

DEMOCRACY versus COMMUNISM

A special in-service graduate training program for secondary school and college teachers.

PROGRAM

Workshop Seminar I — HS 486, Nationality Problem in the Soviet Union. 3 cr. Hrs.

Workshop Seminar II — HS 488, American-Soviet Relations. 3 cr. Hrs.

PURPOSE

The participants at these Workshops will analyze and study major source materials dealing with the origin, nature and challenge of communism as well as Soviet strategy and tactics in their relations with the free world, particularly with the United States of America.

CREDIT AND TUITION

Formal admission to the John Carroll University Graduate School is required. Students may attend on a credit or audit basis. Credit from both Seminars may be applied to the MA degree in history or to the Certificate of Competence offered by the Institute, or both. Tuition for each course is \$105.00. Board and single rooms in campus residence halls will be available at prevailing rates.

SCHOLARSHIPS

Scholarships will be available for exceptionally well-qualified teachers of social studies. Applicants will be evaluated in terms of their current teaching responsibility, professional interests, academic promise, leadership qualities, and most particularly, desire to promote and apply the accumulated knowledge in the classroom. An effort is being made to secure funds for a field trip in August, 1965 to various capitals of East Central Europe, including Berlin at a nominal cost for some participants.

Applications must be received by April 15; Scholarship awards will be announced by May 15.

FACULTY

The Workshops will be under the direction of Dr. Michael S. Pap, assisted by the faculty members of the Institute — Dr. Trace, Dr. Prpic and Professor Romance. Five visiting scholars of prominence will participate as guest lecturers. Documentary films will be available for viewing.

Secondary school and college teachers who desire applications should mail the form below *at once*. For further information telephone

For further information write to:

Dean of the Graduate School, or
Director, Institute for Soviet Studies
John Carroll University
Cleveland, Ohio 44118
Telephone: YE 2-3800

CAUTIONARY NOTE

Only the **RESOLUTION(S)** presented herein, when approved by the House of Delegates, become official policy of the American Bar Association. These are listed under the heading **RECOMMENDATION(S)**. Comments and supporting data listed under the sub-heading **REPORT** are not approved by the House in its voting and represent only the views of the Section or Committee submitting them. Reports containing **NO** recommendations (resolutions) for specific action by the House are merely informative and likewise represent only the views of the Section or Committee.

AMERICAN BAR ASSOCIATION

STANDING COMMITTEE ON AMERICAN CITIZENSHIP

RECOMMENDATION

WHEREAS, it is important to instill and foster in our youth a desire to be good citizens; and

WHEREAS, the recognition and respect of good citizenship will encourage our youth to become good citizens; and

WHEREAS, training for good citizenship is an integral part of our educational process; and

WHEREAS, the American Bar Association is dedicated to the promotion of the principles of American Citizenship;

NOW, THEREFORE, BE IT RESOLVED, that the Standing Committee on American Citizenship be authorized and directed:

1. To institute and organize for the American Bar Association "Citizenship Awards" in recognition of the outstanding boy and girl in the senior classes of the high schools in the United States of America;
2. To request and urge the local bar association of the United States to create a committee to arrange for the selection of the outstanding boy and girl in the senior class in each high school in the jurisdiction of such local bar association to be the recipient of the American Bar Association's "Citizenship Award"; that such award be made at a student assembly arranged in cooperation with the school officials and that a suitable speaker

be provided for this occasion;

3. To request and urge the state bar associations to have their American Citizenship Committees make provision for the selection, from among the award winners in the high schools of the state, of an outstanding boy and girl for the state "Citizenship Award";

4. To provide for the selection from among those receiving the state "Citizenship Awards" of a boy and a girl as the recipient of a national "Citizenship Award" and that these two winners receive from the American Bar Association a scholarship grant of \$1,000.00;

5. To proceed with the design and preparation of appropriate certificates to be presented to the local, state and national winners.

The American Citizenship Committee recommends that the various awards be made on Citizenship Day, being September 17 of each year, which is also the beginning of Constitution Week, at the state bar associations' annual meetings and the American Bar Associations' Annual Meeting.

Under our present plans, students would not make any applications or do anything in connection with obtaining the local high school award. An award would be made by a committee consisting of members of the high school faculty and the American Citizenship Committee of the local bar association and would be on the basis of scholarship, extra curricular school activities, acceptance of responsibilities, leadership and personality.

It may be necessary to require the recipients of the local

high school awards to submit an essay. This is based upon the assumption that there will be little difference between the top 10% or 20% and the only way to distinguish between them would be on the basis of an essay. It will also probably be necessary to have winners of the state awards submit essays in order to select the national winners.

OTHER MATTERS

The "Canons of American Citizenship" have been printed in three colors on paper simulating parchment. These copies are available at a cost of \$20.00 a thousand.

Communications have been sent to all the local and state bar associations urging these associations to present one of these copies to each senior in the high schools in the local bar association's jurisdiction and to newly naturalized citizens at the swearing in ceremony.

We have suggested that the presentation to the high school seniors be at an assembly to be held at the high school in cooperation with the school administration on Citizenship Day, being September 17 of each year.

We are also suggesting that the bar association arrange for a suitable speaker. In addition each local bar association should assist the Federal District judges in every way possible in making the swearing in ceremony of the newly naturalized citizens a very impressive occasion.

Respectfully submitted,

WENDELL A. FALSGRAF,

Chairman

OFFICE OF
THE ATTORNEY GENERAL



JUL 14 1965

MEMORANDUM FOR

Honorable J. Edgar Hoover
Director, F.B.I.

I thought you might be interested in the
attached materials.

0 American Boyhood Association
new

The Attorney General
Nicholas deB. Katzenbach

| | |
|--------------|---|
| Mr. Tolson | ✓ |
| Mr. Belmont | ✓ |
| Mr. Mohr | ✓ |
| Mr. DeLoach | ✓ |
| Mr. Casper | |
| Mr. Callahan | |
| Mr. Conrad | |
| Mr. Felt | |
| Mr. Gale | |
| Mr. Rosen | |
| Mr. Sullivan | ✓ |
| Mr. Tavel | ✓ |
| Mr. Trotter | |
| Tele. Room | |
| Miss Holmes | |
| Miss Gandy | |

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6 JUL 26 1965

ENCLOSURE

765
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- AMERICAN BAR ASSOCIATION

- SECTION OF CRIMINAL LAW

- RECOMMENDATION

BE IT RESOLVED, That the American Bar Association support the enactment of S. 1592, 89th Congress, a bill to amend the Federal Firearms Act, or similar Federal legislation.

BE IT FURTHER RESOLVED, That the Section of Criminal Law be authorized to present the views of the American Bar Association on such legislation to the appropriate committees of Congress.

REPORT

Federal action directed at the control of firearms originated, for modern purposes of criminal control, in the National Firearms Act of June 26, 1934, which is now set out in Sections 5801-62 of the Internal Revenue Code of 1954. This Act, passed in reaction to the gang wars of the Prohibition Era and the post-Prohibition crime waves, was directed at preventing criminals from obtaining firearms, such as machine guns, cane guns, sawed-off shotguns, silencers and similar weapons, which were particularly suitable for criminal use. The Act provides for special licensing taxes on importers, manufacturers, dealers and pawnbrokers dealing in such arms, imposes heavy transfer taxes on the transfer of such arms, requires the registration of such arms upon transfer and the registration of persons possessing such arms. Although written as a revenue measure, it was clearly intended to control the criminal commerce in firearms of a criminal character and provided penalties of up to five years' imprisonment.

94-1-369 1971

~~—~~ XEROX
AUG 21 1965

ENCLOSURE

The Federal Firearms Act of June 30, 1938, 15 U.S.C. §§901-09, was designed to suppress crime by regulating the traffic in firearms and ammunition, and applied to all firearms. Its legislative history shows particular concern with "roaming racketeers and predatory criminals who know no state lines--a situation beyond the power of control by local authorities to such an extent as to constitute a national menace." United States v. Platt, 31 F. Supp. 788, 790 (S.D. Tex. 1940); see Hearings on H.R. 9036 Before House Committee on Ways and Means, 73d Cong., 2d Sess. (1934). The Act requires a dealer to obtain a federal dealer's license by filing an application with the Internal Revenue Service and paying a fee of one dollar. However, because of the simplicity of this requirement and of the other record-keeping required by the law, this Act has been called a "mail-order operation" in itself. Hearings Before the Subcommittee to Investigate Juvenile Delinquency of the Senate Committee on the Judiciary, 88th Cong., 1st Sess., pt. 14, at 3209 (1963).

The assassination of President John F. Kennedy on November 22, 1963, with a rifle reported to have been purchased by the accused assassin through the mails, brought public and congressional scrutiny to bear on the availability of firearms in the United States through mail orders and other uncontrolled channels of distribution. However, consideration of this problem had preceded that tragic event; concern with juvenile crime in which the use of "mail-order" weapons was an increasing factor led to hearings by the Subcommittee to Investigate Juvenile Delinquency of the Senate Committee on the Judiciary during early 1963, and legislation directed at the types of weapons used by juvenile criminals was introduced in August, 1963 by Chairman Dodd and other members of the subcommittee. The assassination brought the introduction of numerous other bills, the expansion of the Dodd bill, and greater concern about this problem.

S. 1975, 88th Cong., 1st Sess., was introduced on August 2, 1963, by Senator Dodd for himself and other members of the Juvenile Delinquency Subcommittee, but this proposal was not enacted. Other legislation proposing varying techniques for controlling the interstate shipment of firearms was introduced in the House of Representatives and in the Senate. In addition, resolutions were introduced in the House of Representatives authorizing an investigation of the sale of firearms in interstate and foreign commerce.

On March 22, 1965, Senator Dodd introduced S. 1592, a bill to amend the Federal Firearms Act. A copy of this bill is attached. Basically, the proposed legislation is designed to accomplish the following:

First: It would prohibit the shipment of firearms in interstate commerce, except between federally licensed manufacturers, dealers, and importers. This provision would have the effect of prohibiting the so-called mail-order traffic in firearms to unlicensed persons. It would leave to each state the responsibility and authority for controlling the sale and disposition of firearms within its borders. There are several important exceptions to this general prohibition against interstate shipment. Sportsmen could continue to take their shotguns or rifles across state lines. Pistols could

be carried in interstate commerce but only for a lawful purpose and only in conformity with state laws. Further, firearms could be shipped to a licensee for service and return to the sender. However, a nonlicensee could no longer buy weapons from out-of-state mail-order dealers. Sales would be made by retail dealers and would thus be subject to record-keeping requirements. These records would then have new meaning; they would not be rendered futile by an unrecorded flow of mail-order guns.

Second: Licensed retail dealers would be required to limit sales of handguns to residents of their state who are 21 years of age or older; they would be prohibited from selling any firearm to a person under the age of 18. In accordance with regulations to be prescribed by the Secretary of the Treasury, licensed dealers would be required to ascertain the identity and place of residence of a purchaser. Further, it would be unlawful for a dealer to sell a firearm to any person when he knows or has reasonable cause to believe that such person is under indictment for or has been convicted of a felony, or is a fugitive from justice. These provisions of the proposed legislation do not address themselves to the question of permits to possess or to use firearms, leaving it to the states and local communities to decide what they need and want in that regard. Thus, for example, while the bill limits the sale of shotguns and rifles to persons who are at least 18 years of age, it does not preclude such persons from using guns if such use is permitted by state or local law.

Third: The bill would raise the annual license fees for a dealer from the present token of \$1.00 to \$100. It would also establish a license fee of \$250 for a pawnbroker who deals in firearms. Specific standards are established under which an application for a license shall be disapproved, after notice and opportunity for a hearing. The purpose of this provision of the proposed legislation is to limit the issuance of licenses to bona fide dealers. Under existing law, anyone other than a felon can, upon the mere allegation that he is a dealer and the payment of a fee of \$1.00, demand and obtain a license. According to the Secretary of the Treasury, some fifty or sixty thousand people have done this, some of them merely to put themselves in a position to obtain personal guns at wholesale. There would be nothing to prevent them from obtaining licenses in order to ship or receive concealable weapons through the mails, or to circumvent state or local requirements.

Fourth: The bill would permit the Secretary of the Treasury to curb the flow into the United States of surplus military weapons and other firearms not suitable for sporting purposes. However, weapons imported for science, research, or military training, or as antiques and curios, could be allowed.

Fifth: The importation and interstate shipment of large caliber weapons, such as bazookas and antitank guns, and other destructive devices would be brought under effective Federal control.

The Subcommittee to Investigate Juvenile Delinquency of the Senate Judiciary Committee has been holding hearings on S. 1592, commencing shortly

after the introduction of this legislation. The testimony of witnesses appearing before the subcommittee has generally favored enactment of the legislation, particularly the testimony of witnesses who are concerned with any facet of law enforcement. The principal objections to the legislation seemed to stem from the National Rifle Association and its members. The position of the NRA was commented upon by Attorney General Katzenbach in a statement to the subcommittee on May 19, 1965, excerpts of which appear below:

"* * *

"This measure is not intended to curtail the ownership of guns among those legally entitled to own them. It is not intended to deprive people of guns used either for sport or for self-protection. It is not intended to force regulation on unwilling states."

"The purpose of this measure is simple: it is, merely, to help the states protect themselves against the unchecked flood of mail-order weapons to residents whose purposes might not be responsible, or even lawful. S. 1592 would provide such assistance to the extent that the states and the people of the states want it."

"* * *

"There is demonstrable need for regulation of the interstate mail-order sale of guns. This bill is a response to that need. It was carefully drafted; it is receiving detailed attention from this Subcommittee."

"But, nevertheless, S. 1592 now has itself become a target--for the verbal fire of the National Rifle Association and others who represent hunters and sporting shooters. These opponents feel their views most deeply, as is evident from the bitterness and volume of their opposition. It is no secret to any member of Congress that the NRA sent out a mailing of 700,000 letters to its membership urging a barrage of mail to Senators and Congressmen."

"There is no question that the views of the NRA should be heard and given full weight. There is no question that so many people with an interest in gun legislation should have every opportunity to express it. But those views also need to be evaluated and thus I would like now to turn to analysis of the opposition arguments."

"It has been suggested, for example, by Franklin Orth, executive vice president of the NRA, that S. 1592 gives the Secretary of the Treasury 'unlimited power to surround all sales of guns by dealers with arbitrary and burdensome regulations and restrictions.'"

"I fear this is an exaggeration flowing from the heat of opposition. The Secretary's regulations must be reasonable. I should think that the reasonableness of the regulations promulgated by the Secretary of the Treasury under the existing provisions of the Federal Firearms Act would contradict the assumption of 'burdensome regulations'."

"Further, the Administrative Procedure Act assures all interested parties of an opportunity to be heard before the issuance of substantive rules and regulations. The NRA and other gun interests have,

in the past, taken full advantage of this opportunity and clearly could do so in the future. And still further, the regulations are subject to review and reversal by the courts and by Congress should they be felt arbitrary and capricious.

"It has also been suggested that S. 1592 requires anyone engaged in the manufacture of ammunition to pay \$1,000 for a manufacturer's license. The bill does not do so. It does not cover shotgun ammunition at all, and the license fee for manufacturers of other types of ammunition is \$500.

"It is true that anyone selling rifle ammunition, even .22 caliber, would be compelled to have a \$100 dealer license. Why shouldn't he? He is dealing ammunition for a lethal weapon. The many dealers in ammunition who also sell firearms would not, however, be required to pay an additional ammunition fee. Nor is there anything in the legislation that would, as has been stated, require a club engaged in reloading for its members to obtain a manufacturer's license.

"A further specific objection raised against this measure is that it would forbid a dealer to sell to a non-resident of his state. The objection is stated in a misleading way. The bill does forbid such sales of hand guns, but is specifically excepts weapons like rifles and shotguns most commonly used by sportsmen and least commonly used by criminals.

"A similar objection is made on the grounds that the measure would prohibit all mail-order sales of firearms to individuals. While this is an accurate description of the measure with respect to interstate and foreign commerce, the bill would not foreclose now allowable shipments within a state. Any control of such commerce is left to the states.

"One last comment on the specific NRA objections, as expressed in the letter sent to its membership. The letter described this measure as one which conceivably could lead to the elimination of 'the private ownership of all guns'. I am compelled to say that this is not conceivable. I am compelled to say that there is only one word which can serve in reply to such a fear--preposterous.

"* * *

"More generally, I really cannot understand why the legislation we are talking about should seem a threat at all to sportsmen, hunters, farmers and others who have a productive or necessary or enjoyable interest in the use of rifles, shotguns or sporting hand guns. Nothing that we propose here could intelligently be construed as impairing the enjoyment they derive from shooting.

"This legislation would, indeed, make some changes in the distribution of firearms. It would, indeed, by outlawing mail-order sales of firearms between states, bring about changes in the commercial firearms world. It would, indeed, challenge interests which have thrived on the present state of unregulated chaos. But such a challenge is tragically overdue.

"* * *

"Which is more significant, the right not to be slightly inconvenienced in the purchase of a firearm, or the right not to be terrorized, robbed, wounded, or killed?

"As the chief law enforcement officer of the United States, I come before you today to ask you to supply the only conceivable answer to that question. I come, with all the urgency at my command, to ask the Subcommittee to report this measure favorably and to ask the Congress to enact it without delay."

Two further objections have been made to the proposed legislation. The first that it is unconstitutional, and the second is that, even if enacted, the criminal will still get guns by the simple process of stealing them or buying them from a "gun bootlegger".

With respect to the constitutional issue, both the Secretary of the Treasury and the Attorney General of the United States have affirmed that the bill was carefully drafted to insure its constitutionality. It is the view of the Section of Criminal Law that there is no merit to an objection to the legislation on constitutional grounds. The vast body of authority under the Commerce Clause supports Federal control of the distribution of firearms by means of interstate commerce. Further, it seems clear that the right to bear arms protected by the Second Amendment relates only to the maintenance of the militia; that Amendment does not prevent the reasonable regulation of interstate commerce in firearms in the interest of public safety. It should be noted that the legislation does not apply to agencies and departments of Federal, State, and local governments.

With respect to the second objection, viz., that, even if the legislation is enacted, it will not prevent the criminal from obtaining a gun, the statement made by the Secretary of the Treasury to the subcommittee is illuminating. Excerpts follow:

"Mr. Chairman, I am happy to appear before your Committee in association with my colleague, the Attorney General, and other representatives of the Administration in support of S. 1592 to amend the Federal Firearms Act, because I feel that enactment of this piece of legislation is of great importance to the welfare of this country and its citizens.

"S. 1592 is designed to implement the recommendations which the President set forth with respect to firearms control in his message to the Congress of March 8, 1965, relating to law enforcement and the administration of justice.

"The President, in that message, described crime as 'a malignant enemy in America's midst' of such extent and seriousness that the problem is now one 'of great national concern.' The President also stated, and I quote from his message, 'The time has come now, to check that growth, to contain its spread, and to reduce its toll of lives and property.'

"As an integral part of the war against the spread of lawlessness, the President urged the enactment of more effective firearms control legislation, and cited as a significant factor in the rise of violent crime in the United States 'the ease with which any person can acquire firearms.'

"The President recognized the necessity for State and local action, as well as Federal action, in this area and he urged 'the Governors of our States and mayors and other local public officials to review their existing legislation in this critical field with a view to keeping lethal weapons out of the wrong hands.' However, the President also clearly recognized in his message that effective State and local regulation of firearms is not feasible unless we strengthen at the Federal level controls over the importation of firearms and over the interstate shipment of firearms. The President advised that he was proposing draft legislation to accomplish these aims, and stated, and I quote, 'I recommend this legislation to the Congress as a sensible use of Federal authority to assist local authorities in coping with an undeniable menace to law and order and to the lives of innocent people.'

"Anyone who reads the papers today or hears the news on radio and television cannot help but be appalled at the extent of crime and lawlessness in this country and at the extent of the loss of lives through the use of weapons in the hands not only of criminals but also juveniles, the mentally sick and other irresponsible people. Every day the lives of decent American citizens, our greatest national asset, are being snuffed out through the misuse and abuse of firearms by persons who should not have access to them.

"* * *

"What the bill does is to institute Federal controls in areas where the Federal Government can and should operate, and where the State governments cannot, the areas of interstate and foreign commerce. Under our Federal constitutional system, the responsibility for maintaining public health and safety is left to the State governments under their police powers. Basically, it is the province of the State governments to determine the conditions under which their citizens may acquire and use firearms. I certainly hope that in those States where there is not now adequate regulation of the acquisition of firearms, steps will soon be taken to institute controls complementing the steps taken in this bill in order to deal effectively with this serious menace.

"Since a bureau of my Department is responsible for the administration of the Firearms Act, I am particularly anxious that the changes proposed in the bill with respect to the issuance of licenses to manufacture, import and deal in firearms be adopted. Under existing law, anyone other than a felon can, upon the mere allegation that he is a dealer and payment of a fee of \$1.00, demand and obtain a license. Some fifty or sixty thousand people have done this, some of them merely to put themselves in a position to obtain personal guns at wholesale. The situation is wide open for the obtaining of licenses by irresponsible elements, thus facilitating the acquisition of these weapons by

criminals and other undesirables. The bill before you, by increasing license fees and imposing standards for obtaining licenses, will go a long way toward rectifying this situation.

"One misconception about this bill which has been widely publicized is that it will make it possible for the Federal Government to institute such regulations and restrictions as will create great difficulties for law-abiding citizens in acquiring, owning or using firearms for sporting purposes. This is absolutely not so. Sportsmen will continue to be able to obtain rifles and shotguns from licensed dealers and manufacturers subject only to the requirements of their respective State laws. Indeed, they can travel to another State and purchase a rifle or shotgun from a licensed dealer there and bring it home with them without interference. Only two minor inconveniences may occur for the sportsmen of this country. They will not be able to travel to another State and purchase a pistol or concealable weapon, and they will not be able to obtain a direct shipment from another State of any type of firearm. On this latter point, the inconvenience is more apparent than real because the large mail order houses have outlets in most of the States and the bill will permit mail order shipments to individual citizens from these outlets.

"These minor inconveniences have been found to be necessary in order to make it possible for the States to regulate effectively the acquisition and possession of firearms. Obviously, State authorities cannot control the acquisition and possession of firearms if they have no way of knowing or ascertaining what firearms are coming in to their States through the mails or, in the case of concealable weapons, by personally being carried across State lines.

"* * *

"Today, the people of the United States are living under the most ideal conditions which have ever existed for any peoples anywhere on earth. Yet much of this is threatened by the spreading cancer of crime and juvenile delinquency. It is absolutely essential that steps such as those proposed in this bill be taken to bring under control one of the main elements in the spread of this cancer, the indiscriminate acquisition of weapons of destruction. In concluding my statement, may I say that the Department's experience with the existing Federal Firearms Act has resulted in a feeling of frustration since the controls provided by it are so obviously inadequate in the ways that I have indicated. In drafting S. 1592 we have had in mind these inadequacies and now have, we believe, a bill, which, when enacted, will provide effective controls without jeopardizing or interfering with the freedom of law-abiding citizens to own firearms for legitimate purposes. I strongly support the enactment of S. 1592."

For a number of years, the Section of Criminal Law has considered that the loose and ineffective controls on the sale of firearms, particularly handguns, has been a contributing factor to the increasing crime rate. At the Midyear Meeting of the American Bar Association in February, 1964, the

Section recommended to the House of Delegates that action should be taken by the Association "to draft a uniform state firearms statute and appropriate federal legislation." During the Annual Meeting in August, 1964, the Section presented a program on the subject, "The What, When and Why of Gun Legislation." Distinguished speakers, including a law enforcement officer, a judge, a private citizen, and representatives of the National Rifle Association explored the subject in depth and detail. Although no formal action of the Section followed this panel program, it was clear that the sentiment of the large majority of the members attending the session favored more effective firearms controls.

In summary, in determining whether the American Bar Association should support the enactment of S. 1592, or similar Federal legislation, the following specific questions and answers should be considered:

First: Does the relatively free interstate traffic in firearms contribute materially to the increasing crime rate in the United States? Answer: The available evidence indicates clearly that a considerable number of crimes are committed by persons who have been able to acquire firearms easily, particularly handguns.

Second: Is it within the constitutional power of the Federal Government to establish controls on the interstate movement of firearms? Answer: No lengthy legal brief is necessary to show that the Federal Government under the Commerce Clause is empowered to establish reasonable controls upon the interstate movement of firearms.

Third: If the States and local governments enacted stringent controls on the purchase, possession, and use of firearms, would it be necessary or desirable for the Federal Government to legislate in this area? Answer: Although stringent State and local control of firearms would assist materially in reducing the possession and use of firearms for unlawful purposes, State and local controls cannot be effective unless the Federal Government prevents the relatively free and unimpeded flow of firearms into the several States through the channels of interstate commerce.

Fourth: Are the controls contained in S. 1592 reasonable? Answer: Few persons will interpose reasonable objections to the purpose or to the major provisions of S. 1592. Reasonable men might differ as to the necessity for certain of the specific provisions. For example, it can be argued that the provisions which preclude a licensed retail dealer from selling rifles and shotguns to persons under the age of 18, or from selling handguns to persons under the age of 21, are an unwarranted usurpation of the power of the States and local governments to decide who may possess and use firearms. However, almost everyone would agree that these restrictions are reasonable if firearms are to be kept out of the hands of irresponsible juveniles. Further, it is clear that the control of such sales, even though local in nature, can best be established by Federal insistence, through licensing

proceedings, that dealers adhere to fixed standards in all of the States. Otherwise, it would be difficult to prevent a juvenile from purchasing a firearm in a State where the sale is permitted, and carrying it to a State where such a sale is prohibited.

The Council of the Section of Criminal Law is of the opinion that S. 1592 represents a reasonable and desirable step forward in law enforcement. Although this legislation will cause minor inconvenience to the law-abiding citizen who desires to buy a gun, it will not prevent him from acquiring one. This minor inconvenience is the price that must be paid if the Federal Government is to do its part to assist the States in maintaining effective control over firearms.

For the above reasons, the Section of Criminal Law, acting through its Council in accordance with Section 6, Article VI, of its By-Laws, recommends that the American Bar Association support the enactment of S. 1592, or similar Federal legislation.


Kenneth J. Hodson
Chairman

AMERICAN BAR ASSOCIATION

1155 East 60th, Chicago, Illinois 60637

Telephone (312) 493-0533

To: Officers and Council of the Section of Criminal Law
From: Division of Section Services
Date: June 15, 1965
Subject: Report on Firearms

At the request of Chairman Hodson, attached is a copy of the recommendation and report (without a copy of S. 1592) now being processed for submission to the Board of Governors and the House of Delegates at the Miami meeting.

cc: Messrs. Hodson, Freund, Bennett

HEH/af

XEROX
AUG 2 1965

94-1-369-1971

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt

DATE: June 25, 1965

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION
CRIMINAL LAW SECTION
FIREARMS LEGISLATION

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

As an officer of the Criminal Law Section of the American Bar Association, I have received the enclosed report on firearms which recommends that the American Bar Association support the enactment of S. 1592 which is Senator Dodd's bill to amend the Federal Firearms Act; further, that the Criminal Law Section of the American Bar Association be authorized to present the Association's views on such legislation to the appropriate committees of Congress. This report and the accompanying recommendation will be submitted to the Board of Governors and thereafter to the House of Delegates at the forthcoming Annual Meeting of the American Bar Association in August, 1965, at Miami, Florida.

By memorandum 5-16-65 from Mr. Rosen to Mr. Belmont the Bureau transmitted for approval a communication to the Deputy Attorney General indicating the Bureau favored the legislation proposed in S. 1592.

In conversation with former Bureau of Prisons Director Jim Bennett I was advised that this matter was first presented to the Board of Governors of the American Bar Association at the San Juan Regional Meeting held the last week of May, 1965, but the vote was so close that they could not get the Board of Governors approval and, consequently, the matter must await action at the Annual Meeting. Bennett said he has been working a great deal on behalf of this legislation and it is really an eye-opener to see the tremendous amount of money and effort being spent by the National Rifle Association to defeat the Dodd Bill. Bennett also said he was quite concerned to learn of a rumor that the American Legion was going to oppose this legislation, probably because of the National Rifle Association's influence.

ACTION: For information.

2 ENCLOSURE

Enclosure

- 1 - Mr. Rosen
- 1 - Mr. Callahan
- 1 - Mr. DeLoach

6 HLEmbk 1965
(5)

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 Callahan ☒
 Conrad ☒
 Felt ☒
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☐
 Trotter ☐
 Tele Room ☐
 Holmes ☐
 Gandy ☐

PI-33

(RIGHTS--COMMUNISTS)

CHICAGO--CIVIL RIGHTS PROBLEMS PRESENT A "NATURAL TARGET" FOR EXPLOITATION BY THE COMMUNIST PARTY, AN AMERICAN BAR ASSOCIATION SPOKESMAN ON COMMUNISM SAID TODAY.

"COMMUNISM CONSTANTLY EXPLOITS MANKIND'S TROUBLES IDEOLOGICALLY, PHILOSOPHICALLY AND PSYCHOLOGICALLY," WROTE MORRIS LIEBMAN, CHAIRMAN OF THE ABA'S COMMITTEE ON EDUCATION AGAINST COMMUNISM.

"YET WE SEEM TO BE SURPRISED, CONFUSED AND EVEN BITTER ABOUT COMMUNIST INTERVENTION IN OUR CIVIL RIGHTS PROBLEMS. WHAT COULD BE A MORE NATURAL TARGET FOR COMMUNIST USE?"

LIEBMAN'S VIEWS APPEARED IN AN ARTICLE IN THE JULY ISSUE OF THE ABA JOURNAL.

7/8--GE959A

THIS IS A
 REPRINT OF
 AUG, 1965, 55 PAGES.

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 94-1369-1972
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REC-54

WASHINGTON CAPITAL NEWS SERVICE AUG 4 1965

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt

DATE: July 28, 1965

FROM : H. L. Edwards *HL*

SUBJECT: AMERICAN BAR ASSOCIATION ANNUAL MEETING
MIAMI BEACH, FLORIDA; AUGUST 7 - 13, 1965

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen ☒ _____
Sullivan ☒ _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

As previously approved, I will attend the captioned meeting. Normally it is necessary to be assisted at the Annual Meeting by an alternate because of the size and activities of the Annual Meeting and especially because of overlaps and conflicts in the essential committee meetings and programs. Special Agent Supervisor [] was the last alternate and he has since been reassigned from the Permanent Aide position in the Inspection Division to the Domestic Intelligence Division.

I have now received a partial schedule of meetings and note that there is a conflict on Saturday, August 7, and Sunday, August 8, between two essential groups. These are the Standing Committee on Education Against Communism, of which I am a member, and the Criminal Law Section, of which I am an officer. Normally, it would be possible to have assistance from the local field office in covering programs where there is a conflict but in this particular case, the only people eligible to handle these Saturday and Sunday meetings would be myself and []. Through prior arrangements, [] has been cleared by the Chairman of the Standing Committee on Education Against Communism to attend committee meetings in view of his specialized knowledge. The purpose of this memorandum is to obtain authority to make limited use of [] in helping me cover these meetings on Saturday and Sunday, August 7 and 8. [] would be able to complete any work arising from this coverage on Monday, 8-9-65, and thereafter he could return to the Seat of Government. Assistant Director Sullivan is agreeable to making [] available in view of the essential nature of this committee's work. Any remaining overlaps in coverage during the week of 8-9-65 will be handled by me through the assistance of agents in the Miami Office. *h*

RECOMMENDATION: That the limited use in the coverage of this meeting by [] be approved. If approved, this memorandum should be returned to the Inspection Division for necessary action.

1 - Mr. Sullivan

HLE:mbk

(4) 50 AUG 16 1965

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REC 44

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PERS. REC. UNIT

UNITED STATES GOVERNMENT

Memorandum

TO : MR. FELT *fr*

DATE: July 9, 1965

FROM : H. L. EDWARDS *HW*

SUBJECT: MORRIS I. LEIBMAN
CHAIRMAN, AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM

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At 10:00 AM this morning I received a phone call from Leibman at Chicago. He had just returned there last night from a 2-day session of briefings and conferences at the White House and wanted to report on a couple of developments which he thought were very significant.

First of all he stated that he had a "lucky break" in that the forthcoming July, 1965, issue of the American Bar Association Journal had reprinted his speech on "Civil Disobedience -- A Threat to Our Law Society," which he delivered to the Criminal Law Section of the American Bar Association Annual Meeting in New York City 8/11/64. This is a hard-hitting speech, having the theme that disobedience of the law in the United States runs counter to the principles of our society and that "civil" disobedience, in spite of its alleged use for just causes, is a threat to law and order. He makes excellent references to the Director and praises the Director as a symbol of the lawyer's obligation and commends the way in which the Director and the Bureau have protected the law society against enemies within and without the country. He said of the Director, "Let his conduct remind us that the lawyer must serve in the tough, hard areas where our society rubs against complexity and controversy, and where prejudice, bigotry and the emotions are the sharpest; where criticism and personal attack are certain from both sides. That is where we of the law have our primary obligation."

Leibman said the "lucky break" to which he referred was the excellent timing of this reprint because the wire services and many newspapers picked it up in Chicago yesterday and made a big play of it because of the civil rights problems Chicago has been experiencing. Leibman again expressed his appreciation for the assistance, guidance, and support the Bureau had given him in the preparation of this talk and he asked me if I would express to the Director his gratitude.

The other matter he wished to report upon was the White House conference. He was there in his capacity as a member of the President's Consultant Committee on International Security Affairs. He was appointed to this in September, 1964, and a news item at the time reported President Johnson as saying that members of this advisory panel on international problems "will be consulted in matters where the advice of highly qualified and experienced men in public life may be helpful in finding

1 - Mr. DeLoach 1 - Mr. Sullivan

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4 AUG 4 1965

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Memo for Mr. Felt
Re: Morris I. Leibman

effective forces of action in the quest for peace and the advancement of the national security. "

Leibman said that the first day consisted of extensive briefings by the State Department. Yesterday's session was a conference with the "full group of White House Advisors" including Rusk, McNamara, Ball, Vance, Thompson, Helms, and Mann. Leibman said he feels that for the first time they "got the dialogue open" and now they will be able to get somewhere. He said previously conferences were mostly sparring around and yesterday for the first time this key group learned what the American Bar Association Committee Against Communism has been doing. Leibman said that he would like the Director to know for his confidential information that Leibman was informally named liaison on the "Why, What, When and Where" of the struggle against Communism. He said he knows he would not have been given this honor without the strong backing he has received from the Director and the Bureau and again he wants the Director to know of his gratitude. He said he will keep us posted on the matters which they take up and he will, of course, be seeking constant guidance.

One example of what Leibman said may be forthcoming from this White House conference is to have a national conference of key representatives of American Law Schools on the preservation of the law society. Also they are going to explore what they can do about the student demonstrations and riots and he would welcome any ideas. He also said that the Viet-Nam situation is going to come in for a lot of study because it is obvious the key people at the White House are much worried about this.

I thanked Leibman for cutting me in on these matters and told him I would certainly pass along his expressions to the Director.

ACTION:

None informative.

HL

✓

UNITED STATES GOVERNMENT

Memorandum

Tolson ☒
Belmont ☒
Mohr ☒
DeLoach ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
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Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

TO : Mr. A. H. Belmont

DATE: July 29, 1965

FROM : W. C. Sullivan *WCS/bj*

SUBJECT: ~~MORRIS I. LEIBMAN, CHAIRMAN,~~
~~AMERICAN BAR ASSOCIATION STANDING~~
~~COMMITTEE ON EDUCATION AGAINST COMMUNISM~~

5-R. [Signature]

Recently, I learned from [redacted] and Admiral William C. Mott (Retired), both associated with the American Bar Association Standing Committee on Education Against Communism, that Morris I. Leibman has expended vast and conscientious effort in furtherance of the American Bar Association's project of conducting a teacher-training institute this summer as he has previous summers on the contrast between communism and liberty under law. The institute is of six weeks' duration and involves 1,000 teachers from 37 states and 17 universities.

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b7c

Mr. Leibman, an active friend of the Bureau, is Chairman of the American Bar Association Standing Committee on Education Against Communism. In this position Leibman is the main force behind extensive efforts to alert teachers to the dangers of communism and to train them in how to teach against this threat.

The bibliography of books, articles, and recommended reading listed in the syllabus includes the Director's books, "Masters of Deceit" and "A Study of Communism," and the Director's Harvard Business Review article entitled "The U.S. Businessman Faces the Soviet Spy." Leibman in these courses for teachers has instructed his men to emphasize the work of the FBI and the Director's writings for use by the teachers. Additionally, he has been the key figure behind the preparation of a syllabus on communism which effectively exposes its destructive nature.

REC 20 *94-1-369-1975*

Enclosure - *201*

EX 105

2 AUG 6 1965

94-1-369

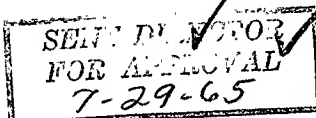
1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. DeLoach

1 - Mr. Morrell
1 - Mr. H. L. Edwards
1 - Mr. Sullivan

1 - Mr. Smith
1 - Mr. Garner

RSG:cr/cd
(9)

CONTINUED - OVER



Memorandum to Mr. Belmont
Re: Morris I. Leibman, Chairman
94-1-369

In view of the above, I believe that it would be appropriate for the Director to send the attached letter to Mr. Leibman in recognition of his untiring efforts to combat the threat of communism. He has met the Director and is on the Special Correspondents list.

RECOMMENDATION:

That the attached letter from the Director to Mr. Leibman be sent.

OK. W.E.S. *[Signature]*
[Signature] *[Signature]*

REC 2094-1-367-1975 July 30, 1965

xxx 1-Mr. Belmont
1-Mr. Mohr
1-Mr. DeLoach

EX 105

Honorable Morris I. Leibman
Leibman, Williams, Bennett, Baird and Minow
208 South LaSalle Street
Chicago, Illinois 60604

AIRMAIL

1-Mr. Morrell
1-Mr. H.L. Edwards
1-Mr. Sullivan
1-Mr. Smith
1-Mr. Garner
1-Original
1-yellow

Dear Mr. Leibman:

Assistant Director William C. Sullivan has informed me of the meritorious and untiring work you have been doing as Chairman of the American Bar Association Standing Committee on Education Against Communism. The vital role you played in the preparation of the American Bar Association's teacher-training syllabus on communism and democracy and your conscientious effort in furtherance of summer teacher-training institutes to show the contrast between communism and liberty under law are invaluable contributions in the fight we are waging against communism.

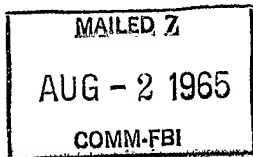
Our Nation is indeed fortunate to have public-minded citizens such as yourself who are deeply involved in combating the communist threat both at home and abroad. Communism is the primary challenge of our time, and it is imperative that all our citizens be alerted to the dangers it presents. You are to be congratulated on the dedicated service you are performing in helping to preserve our free and democratic society.

Sincerely yours,

William C. Sullivan

NOTE: See memo, Sullivan to Belmont, 7/20/65, re "Morris I. Leibman, Chairman, American Bar Association Standing Committee on Education Against Communism," RSG:cr

RSG:cr/mls
(10)



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55 AUG 16 1965

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~~X~~ CAPITAL PUNISHMENT

A report to the Criminal Law Section,
American Bar Association, Annual Meeting,
Miami, Florida, August 9 - 13, 1965.

1 ENCLOSURE

94-1-369-1976

Capital punishment may be walking the "last mile." During the past twelve months five more states¹ banned the death penalty either totally or with limited exceptions such as the murder of a law enforcement officer on duty. Thirteen of the fifty states have now taken this action² and others have had the subject under study. Bills were introduced in the 89th Congress to abolish the death penalty under all laws of the United States except the Uniform Code of Military Justice.³ The Department of Justice of the United States stated on July 24, 1965, that it advocates abolition of capital punishment as soon as there are adequate means for protecting law enforcement officers and the public.⁴ And civil authorities in the United States executed 15 persons in 1964, the smallest number since 1930.⁵

Meanwhile, the number of murders committed in the United States is increasing. In 1964, those disposed to kill their fellow men took 9,250 lives, the largest number since 1946. The murder rate increased 8 per cent over 1963, the sharpest uptrend in recent years. Over 1,350 of these murders were committed in the course of crimes such as robbery, gangland slayings, sex crimes, and the killing of police officers⁶ - murders in which the cold and unalloyed fact is that the killer carried a lethal weapon for an intended purpose, and used it as planned.

ENCLOSURE

94-1-369-1976

The murder rate in 1964 was 4.8 killings per 100,000 population.⁷ This is only half the rate of 9.6 per 100,000 in 1933⁸ but it does not, standing alone, prove that we are becoming a more humanitarian people. We do not know what the rate would have been in 1964 had that year been one of such tragic economic and social-and, therefore, human-dislocation as that experienced by the nation in the 1930s.

Public opinion on capital punishment is sharply divided. A 1965 Gallup Poll shows 45 per cent favoring the death penalty and 43 per cent opposing it.⁹ Opinion is divided within both religious and secular groups. Perhaps the closest approach to a group position is found among law enforcement officers, most of whom appear to favor capital punishment. The officer runs a much greater risk of having to view this problem from the business end of the barrel. Fifty seven officers were murdered in line of duty during 1964, a new high and a murder rate more than three times the national average for the population in general.¹⁰

The arguments for and against capital punishment are irreconcilable. The Bible is quoted to prove that the death penalty is wrong, but the Bible also is quoted to prove that it is right.¹¹ "The dead have no redress," said a state legislator in arguing for abolition, referring to the fact

that once the killer is executed there is no opportunity to correct a mistaken judgment.¹² But the 9,250 murder victims of 1964 equally had no redress against their murderers, or against a state which may have turned the killer loose with notice of his dangerous propensities. Director J. Edgar Hoover of the FBI cites the case of a man who was first arrested for drunkenness and carrying a pistol, fined \$100.00 and costs. Later he drew a concealed knife and stabbed to death a man with whom he was arguing. He was sentenced to 5 years but released in 30 months. One week later he drew a concealed pistol and shot a second victim to death, giving as his reason that "I don't like being pushed around." ¹³ Here, too, "The dead have no redress."

The specter of the innocent man executed perennially haunts the issue of capital punishment. But how real is this danger when every accused has a constitutional right to counsel for his defense, the fight against execution - if conviction is had at all - may be waged through every appellate tribunal for 12 years as in the Chessman case, and above that is the possibility of executive clemency in case any doubt remains? As the eminent Judge Learned Hand said many years ago, when the defendant had fewer rights than now:

"Our procedure has been always haunted by the ghost of the innocent man convicted. It is an unreal dream. What we need to fear is the archaic formalism and the watery sentiment that obstructs, delays and defeats the prosecution of crime."¹⁴

Or, as Sir John Anderson, for ten years permanent Head of the Home Office in England said in the House of Commons on April 14, 1948:

"It is fair to say, and there was a weath of testimony to that effect in the evidence before the Select Committee, that the risk, under the conditions as they exist in this country, of the capital penalty being executed on any one who was not in fact guilty of the crime of which he had been convicted is so small, indeed so infinitesimal, that consideration can be dismissed."¹⁵

It is said that capital punishment is inflicted primarily upon the poor, but the word "poor" is used emotionally without specific definition, in disregard of the fact that the poor are also said to be the principal victims of crime,¹⁶ and disregarding a 12-year study, 1950-1962, made in a large metropolitan area of the United States and showing that the average annual income of 89 persons convicted of first degree murder was virtually identical with that of 82% of the entire labor force, nearly 2 million people, of that area.¹⁷ If the accused be poor in fact, he yet is entitled to counsel for his defense and, the record shows, like the rich is sometimes defended by the most brilliant of counsel.

It is said that capital punishment is not a deterrent to murder, and said in reply that no punishment will deter so long as it is a nullity in fact. In February, 1965, Counsel for the Massachusetts Chiefs of Police Association said that state has had 1000 murders since 1947, without a single infliction of capital

punishment.¹⁸ In the same month the Canadian Association of Chiefs of Police said commutation of death penalties had contributed greatly to the rise in crime and the murder of police officers.¹⁹ Only 8 states inflicted the death penalty in 1964.²⁰ There have been no executions in the District of Columbia in 8 years.²¹ And the argument that capital punishment is not a deterrent disregards the evidence that many a criminal deliberately robs with a simulated weapon, or fails to fire a live weapon carried, because he fears the consequences to himself of murdering during the commission of a felony.²² As Justice Schauer, retired, of the California Supreme Court said in 1961 at greater detail and length than here quoted:

"That the ever present potentiality in California of the death penalty, for murder in the commission of armed robbery, each year saves the lives of scores, if not hundreds of victims of such crimes, cannot I think, reasonably be doubted by any judge who has had substantial experience at the trial court level . . ."²³

Figures are adduced from studies made in some states showing that murderers who have served their term do not kill again.²⁴ But what of those who do, thus providing at least some element of recidivism in this crime also? What of the estimated 15% who kill in cold blood, for gain or to avoid capture?²⁵ Six of the law enforcement officers murdered in line of duty during the five-year period 1960-64, were killed by persons who had been convicted

of murder and released on parole. Another eleven were killed by persons who had been convicted of assault to kill and later released on parole.²⁶ If we value the life of the innocent as highly as that of the convicted murderer, then surely in such cases we ought to follow the view of Director Hoover of the FBI that short of execution the only solution is imprisonment for the term of natural life.²⁷ It is also his view that the deterrent concept of the death penalty does exist. Perhaps it is better that ten recidivist murderers suffer the penalty than that the life of one innocent person be sacrificed for failure to inflict it.

Committee on Capital Punishment
Dwight J. Dalbey, Chairman

FOOTNOTES

1. Iowa, New York, Oregon, Vermont and West Virginia.
Source: Washington Evening Star, July 4, 1965.
2. The other eight are: Alaska, Hawaii, Maine, Michigan, Minnesota, North Dakota, Rhode Island and Wisconsin.
Source: Washington Evening Star, July 4, 1965.
3. H.R. 848 and H.R. 5789.
4. Washington Evening Star, July 25, 1965.
5. Five in Texas, two each in Florida, Georgia and Missouri, and one each in Alabama, Arkansas, Colorado and Mississippi.
U. S. Department of Justice news release, March 26, 1965.
6. Uniform Crime Reports Bulletin, 1964.
7. Ibid.
8. Washington Evening Star, July 4, 1965.
9. Ibid. But by comparison with polls taken in 1953 and 1960 there is a definite shift toward abolition. In 1953 some 68 per cent favored the death penalty and 25 per cent opposed. In 1960 the figures were 51 per cent for and 36 per cent against.
10. Uniform Crime Reports Bulletin, 1964. Assumes a national total of 350,000 law enforcement officers.
11. Washington Evening Star, July 4, 1965.
12. New York Times, February 25, 1965.
13. FBI Law Enforcement Bulletin, April 1, 1960.

14. U.S. v. Garson, 291 F. 646, 649 (1923).
15. Pollak, The Errors of Justice, 284 Annals of the American Academy of Political and Social Science, 115-16 (1952).
16. New York Times, February, 19, 1965.
17. Coakley, Capital Punishment, American Criminal Law Quarterly, May, 1963.
18. Boston Herald, February 17, 1965.
19. The Province, Vancouver, B.C., February 26, 1965.
20. U. S. Department of Justice news release, March 26, 1965.
21. Washington Evening Star, July 25, 1965.
22. Coakley, Capital Punishment, cited above; Chicago American, March 3, 1965.
23. People v. Love, 56 Cal2d 720, 744, 366 P2d 33, 46-47 (1961).
24. Washington Evening Star, July 4, 1964.
25. Ibid; Uniform Crime Reports Bulletin, 1964.
26. Uniform Crime Reports Bulletin, 1964.
27. U.S. News and World Report, December 21, 1964.

UNITED STATES GOVERNMENT

Memorandum

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Belmont _____
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Holmes _____
Gandy _____

DATE: 8/2/65

TO : Mr. Mohr

FROM : J. J. Casper

SUBJECT: CAPITAL PUNISHMENT
AMERICAN BAR ASSOCIATION
CRIMINAL LAW SECTION

By memorandum on September 30, 1964, from Inspector H. L. Edwards to Mr. Gale, approval was granted for SA Dwight J. Dalbey to serve as the Chairman of the Committee on Capital Punishment of the Criminal Law Section of the American Bar Association. Also approved, was Inspector Edwards' arrangement for SA Dalbey's report to be given by Edwards at the Annual Meeting of the Criminal Law Section, American Bar Association, held in Miami, Florida, August 9 - 13, 1965, in order that it would not be necessary for SA Dalbey to make that trip.

Attached for approval is a copy of SA Dalbey's report on Capital Punishment.

RECOMMENDATION:

That attached report be approved and delivered to Inspector H. L. Edwards for presentation, with an extra copy for Brigadier General Kenneth J. Hodson, Office of the Judge Advocate General of the Army, who is Chairman of the Criminal Law Section.

Enclosure

1 - Mr. DeLoach
1 - Inspector H. L. Edwards
DJD:pal
(4)

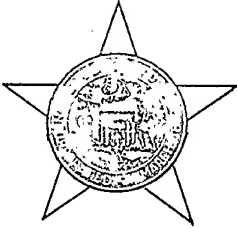
REC-70

10 AUG 12 1965

53 AUG 20 1965

XEROX
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UNRECORDED COPY FILED IN 94-1-36-1976



RICHARD J. DALEY, *Mayor*
O. W. WILSON, *Superintendent*

July 14, 1965

Mr. Morris I. Leibman
The Illinois Bar Association
P.O. Box 2360
Springfield, Illinois

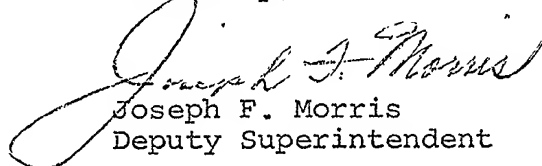
Dear Mr. Leibman:

I had occasion to read the
July issue of the American Bar Association
Journal and ran across your article.

I want to congratulate you
on what to me is the finest piece of writing
I ever had the pleasure of reading. In this
day and age when too many people (a lot of
whom should know better) are coddling criminals
and making excuses for malcontents who resort
to violence as a remedy it is indeed refresh-
ing to know that there are responsible people
who think differently.

We are going to use your
article in our indoctrination sessions for
police assigned to our subversive unit. Once
again congratulations.

Sincerely,


Joseph F. Morris
Deputy Superintendent

JFM:h

RECEIVED

JUL 15 1965

ILLINOIS STATE BAR ASSOCIATION

94-1-61-1977
ENCLOSURE

Leibman, Williams, Bennett, Baird and Minow

MORRIS I. LEIBMAN
D. B. WILLIAMS
RUSSELL O. BENNETT
RUSSELL M. BAIRD
NEWTON N. MINOW
LAURENS G. HASTINGS
GEORGE W. K. SNYDER
JOHN H. ROCKWELL
GALE A. CHRISTOPHER
RICHARD H. PRINS
GEORGE T. BOGERT
DAVID P. LIST
JULIAN R. WILHEIM
GEORGE J. MCLAUGHLIN, JR.
THOMAS H. MORSCH
FRANKLIN A. CHANEN
ROBERT E. MASON
JOHN E. ROBSON

208 SOUTH LA SALLE STREET • CHICAGO 4 • FINANCIAL 6-2200

CABLE ADDRESS "CROLEX CHICAGO"

OF COUNSEL
MAX SWIREN

July 25, 1965

RALPH B. LONG
NEIL FLANAGIN
G. GALE ROBERSON, JR.
R. QUINCY WHITE, JR.
DONALD A. MACKAY
LEONARD A. SPALDING III
WILLIAM P. COLSON
DAVID S. MANN
THOMAS H. BALDIKOSKI
JAMES L. MAROVITZ
WILLIAM L. KELLEY

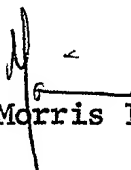
Mr. H. Lynn Edwards
FBI Headquarters
Justice Building, Rm. 5256
Washington, D. C. 20535

Dear Lynn:

I am enclosing a photostat of a letter I received from Joseph Morris, our Deputy Superintendent of Police. I thought you would find it interesting.

Kindest personal regards.

Sincerely,


Morris I. Leibman

MIL:m

94-1-369-1977
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : MR. FELT

DATE: August 5, 1965

FROM : H. L. EDWARDS

SUBJECT: MORRIS I. LEIBMAN, CHAIRMAN
AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM
SPEECH ON "CIVIL DISOBEDIENCE"

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Belmont _____
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As the Bureau has been previously advised, the July, 1965, issue of the American Bar Association Journal reprinted a speech made by Morris I. Leibman before the Criminal Law Section meeting of the American Bar Association at its annual meeting in August, 1964. The speech was entitled, "Civil Disobedience: A Threat to Our Law Society," and it was hard hitting and extensively quoted the Director.

On my return from annual leave I found a personal note from Leibman enclosing the attached letter to him from Deputy Superintendent of the Chicago Police Department Joseph F. Morris. This letter states:

"In this day and age when too many people (a lot of whom should know better) are coddling criminals and making excuses for malcontents who resort to violence as a remedy it is indeed refreshing to know that there are responsible people who think differently.

"We are going to use your article in our indoctrination sessions for police assigned to our subversive unit. Once again congratulations."

ACTION

For information.

1 - Mr. Casper
Enclosure

HLE:bhg

54 AUG 27 1965

ENCLOSURE

ST-112

REC-68

94-1-369-1977

12 AUG 18 1965

The Washington Post
Friday July 9, 1965
pA2

Disobedience Called Wrong Way to Rights

CHICAGO, July 8 (AP)—The concept of "righteous civil disobedience" to achieve civil rights or other goals is "incompatible with the American legal system and society," says an American Bar Association official.

Morris I. Leibman, chairman of the organization's Committee on Education against Communism, said in an article published in the current issue of the American Bar Association Journal:

"I cannot accept the right to disobey when the law is not static and effective channels for change are constantly available."

The Journal is the official journal for the Bar Association's 120,000 member lawyers.

A leader in the civil rights movement, the Rev. Dr. Martin Luther King Jr., is an ad-

vocate of passive civil disobedience.

A Chicago lawyer, Leibman argued that the concepts of "freedom now" and "righteous civil disobedience" are "semantic traps and only add heat to the problems of freedom and justice for all."

In discussing concepts that have figured in civil rights demonstrations, he said:

"'Freedom now' is an illusion. The desire for self-expression can be satisfied only in an atmosphere of freedom, and freedom is not an absolute. It exists only within the confines of the necessary restraining measures of society."

"The cry for immediacy is the cry for impossibility."

What is possible is to continue patiently to build the structures that permit the development of better justice."

44-1-369-1978
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. H. Belmont

DATE: August 4, 1965

FROM : Mr. W. C. Sullivan

1 - Belmont
1 - Mohr
1 - DeLoach
1 - Sullivan
1 - Baumgardner
1 - Smith
1 - Garner

SUBJECT: MORRIS I. LEIBMAN, CHAIRMAN
AMERICAN BAR ASSOCIATION STANDING
COMMITTEE ON EDUCATION AGAINST COMMUNISM

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
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Rosen
Sullivan
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In an article in the July issue of the "American Bar Association Journal," Morris I. Leibman says that the concept of "righteous civil disobedience" to achieve civil rights and other goals is "incompatible with the American legal system and society." Leibman, a long-time, active friend of the Bureau, is Chairman of the American Bar Association Standing Committee on Education Against Communism. "I cannot accept the right," Leibman said, "to disobey when the law is not static and effective channels for change are constantly available."

Leibman's view is exactly the opposite of that held by Martin Luther King. King, an advocate of passive civil disobedience, recently declared that such demonstrations have become "a weapon dramatizing the evils of justice."

Leibman argued that the concepts of "freedom now" and "righteous civil disobedience" are "semantic traps and only add heat to the problems of freedom and justice for all." He stated: "Freedom now" is an illusion. The desire for self-expression can be satisfied only in an atmosphere of freedom, and freedom is not an absolute. It exists only within the confines of the necessary restraining measures of society. The cry for immediacy is the cry for impossibility. What is possible is to continue patiently to build the structures that permit the development of better justice."

Leibman has advised me that he will continue to watch for an opportunity to hit at Martin Luther King either directly or indirectly.

RECOMMENDATION:

For information. Newspaper clipping of Leibman's comments enclosed.

ENCLOSURE

RSB:vms
(8)

Enclosure

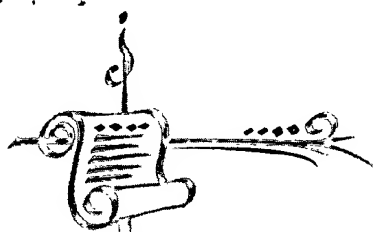
SENT DIRECTOR

AUG 25 1965



ENCLOSURE

44-1-369-1979



Canons of American Citizenship

every american citizen should recognize the duty to:

- 1 uphold the laws of the united states, and the states and communities.
- 2 defend our country from invasion and our government from overthrow by force, violence, or subversion.
- 3 encourage respect for law and order and insist upon solutions of differences and grievances by processes of law and never by resort to violence or other unlawful means.
- 4 support those charged with the enforcement and administration of our laws; voluntarily act as a witness and serve as a juror.
- 5 harbor no prejudice against anyone because of race, religion or national origin.
- 6 maintain pride in family, heritage and church as well as in community, state and nation.
- 7 keep informed on issues and candidates, and vote in every election.
- 8 respect the rights and opinions of others.
- 9 participate in religious, charitable, civic, educational or other activities to promote the welfare of the community.
- 10 acknowledge that 'responsibilities' are as important as 'rights' in the preservation of freedom and justice.

CAUTIONARY NOTE

Only the **RESOLUTION(S)** presented herein, when approved by the House of Delegates, become official policy of the American Bar Association. These are listed under the heading **RECOMMENDATION(S)**. Comments and supporting data listed under the sub-heading **REPORT** are not approved by the House in its voting and represent only the views of the Section or Committee submitting them. Reports containing **NO** recommendations (resolutions) for specific action by the House are merely informative and likewise represent only the views of the Section or Committee.

AMERICAN BAR ASSOCIATION

STANDING COMMITTEE ON AMERICAN CITIZENSHIP

RECOMMENDATION

WHEREAS, it is important to instill and foster in our youth a desire to be good citizens; and

WHEREAS, the recognition and respect of good citizenship will encourage our youth to become good citizens; and

WHEREAS, training for good citizenship is an integral part of our educational process; and

WHEREAS, the American Bar Association is dedicated to the promotion of the principles of American Citizenship;

NOW, THEREFORE, BE IT RESOLVED, that the Standing Committee on American Citizenship be authorized and directed:

1. To institute and organize for the American Bar Association "Citizenship Awards" in recognition of the outstanding boy and girl in the senior classes of the high schools in the United States of America;

2. To request and urge the local bar association of the United States to create a committee to arrange for the selection of the outstanding boy and girl in the senior class in each high school in the jurisdiction of such local bar association to be the recipient of the American Bar Association's "Citizenship Award"; that such award be made at a student assembly arranged in cooperation with the school officials and that a suitable speaker

ENCLOSURE

84-1-568-1979

be provided for this occasion;

3. To request and urge the state bar associations to have their American Citizenship Committees make provision for the selection, from among the award winners in the high schools of the state, of an outstanding boy and girl for the state "Citizenship Award";

4. To provide for the selection from among those receiving the state "Citizenship Awards" of a boy and a girl as the recipient of a national "Citizenship Award" and that these two winners receive from the American Bar Association a scholarship grant of \$1,000.00;

5. To proceed with the design and preparation of appropriate certificates to be presented to the local, state and national winners.

The American Citizenship Committee recommends that the various awards be made on Citizenship Day, being September 17 of each year, which is also the beginning of Constitution Week, at the state bar associations' annual meetings and the American Bar Associations' Annual Meeting.

Under our present plans, students would not make any applications or do anything in connection with obtaining the local high school award. An award would be made by a committee consisting of members of the high school faculty and the American Citizenship Committee of the local bar association and would be on the basis of scholarship, extra curricular school activities, acceptance of responsibilities, leadership and personality.

It may be necessary to require the recipients of the local

high school awards to submit an essay. This is based upon the assumption that there will be little difference between the top 10% or 20% and the only way to distinguish between them would be on the basis of an essay. It will also probably be necessary to have winners of the state awards submit essays in order to select the national winners.

OTHER MATTERS

The "Canons of American Citizenship" have been printed in three colors on paper simulating parchment. These copies are available at a cost of \$20.00 a thousand.

Communications have been sent to all the local and state bar associations urging these associations to present one of these copies to each senior in the high schools in the local bar association's jurisdiction and to newly naturalized citizens at the swearing in ceremony.

We have suggested that the presentation to the high school seniors be at an assembly to be held at the high school in cooperation with the school administration on Citizenship Day, being September 17 of each year.

We are also suggesting that the bar association arrange for a suitable speaker. In addition each local bar association should assist the Federal District judges in every way possible in making the swearing in ceremony of the newly naturalized citizens a very impressive occasion.

Respectfully submitted,

WENDELL A. ~~WALS~~GRAF, File

Chairman

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Felt

DATE: August 16, 1965

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION
88th ANNUAL MEETING, MIAMI BEACH, FLORIDA
STANDING COMMITTEE ON AMERICAN CITIZENSHIP

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Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
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At the captioned annual meeting, the House of Delegates approved recommendations of the American Bar Association's Standing Committee on American Citizenship which will be of interest to the Bureau. A copy of the report containing these recommendations is attached.

Briefly, the recommendations are: (1) the Committee will institute and organize "Citizenship Awards" to recognize the outstanding boy and girl in high school senior classes throughout the U. S.; and (2) will request and urge local bar associations throughout the U. S. to make selections of the Citizenship Award recipients and presentation will be at a student assembly with an appropriate program and speaker. As additional refinement of this program, there will be Award winners selected for the State "Citizenship Award" from all of the winners in that state and additionally there will be a boy and girl selected as the National Citizenship Award winners and these two will receive a \$1,000 scholarship grant from the American Bar Association. The Awards will be made on Citizenship Day, which is September 17, of each year as well as at state bar associations and the American Bar Association Annual Meeting.

The Standing Committee on American Citizenship also reported that during the past year it has printed attractive copies of the "Canons of American Citizenship" which were drafted and approved at the American Bar Association's Midyear Meeting in February, 1965. A copy of the printed Canons is attached. These will be distributed to each high school senior and those newly naturalized citizens at the swearing-in ceremony. It is noted that two of the Canons are directly related to some of the current law enforcement problems, namely, No. 3 which provides "encourage respect for law and order and insist upon solutions of differences and grievances by processes of law and never by resort to violence or other unlawful means; and No. 4 which provides "support those charged with the enforcement and administration of our laws; voluntarily act as a witness and serve as a juror."

ACTION: Information.

1 - Mr. DeLoach
Enclosures

HLE:mbk
(5)

ENCLOSURE
"ENCLOSURE ATTACHED"
51 AUG 23 1965

REC-7374-1-367 1979

EX 105

25 AUG 18 1965

Mr. Tolson ☒
Mr. Belmont ☒
Mr. Mohr ☒
Mr. DeLoach ☒
Mr. Casper ☒
Mr. Callahan ☒
Mr. Conrad ☒
Mr. Felt ☒
Mr. Gale ☒
Mr. Rosen ☒
Mr. Sullivan ☒
Mr. Tavel ☒
Mr. Trotter ☒
Tele. Room ☒
Miss Holmes ☒
Miss Gandy ☒
☐
☐

Leibman, Williams, Bennett, Baird and Minow

MORRIS I. LEIBMAN

RUSSELL O. BENNETT

RUSSELL M. BAIRD

NEWTON N. MINOW

LAURENS G. HASTINGS

GEORGE W. K. SNYDER

JOHN H. ROCKWELL

GALE A. CHRISTOPHER

RICHARD H. PRINS

GEORGE T. BOGERT

DAVID P. LIST

JULIAN R. WILHEIM

GEORGE J. MCLAUGHLIN, JR.

THOMAS H. MORSCH

FRANKLIN A. CHANEN

ROBERT E. MASON

JOHN E. ROBSON

208 SOUTH LA SALLE STREET • CHICAGO 4 • FINANCIAL 6-2200

CABLE ADDRESS "CROLEX CHICAGO" 111

OF COUNSEL
MAX SWIREN

RALPH B. LONG
NEIL FLANAGIN
G. GALE ROBERSON, JR.
R. QUINCY WHITE, JR.
DONALD A. MACKAY
LEONARD A. SPALDING III
WILLIAM P. COLSON
DAVID S. MANN
THOMAS H. BALDIKOSKI
JAMES L. MAROVITZ
WILLIAM L. KELLEY

August 5, 1965

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Dear Mr. Hoover:

Thank you so much for your more than generous praise of our efforts. You will recall my many statements, both to you and on the public platform, that our efforts would not be possible without the cooperation, counsel and tremendous contribution you have made to us at all times and at all levels. We are conscious too of your confidence in us in permitting your colleagues to work with us in this great effort for our country.

Again permit me to repeat what I said to you the last time I was privileged to meet with you, that I hope to so conduct myself as to continue to merit your regard.

Sincerely,

REC-56

Morris I. Leibman

MIL:j

54 AUG 25 1965

9 AUG 16 1965

CORRESPONDENCE

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34 AUG 16 1965
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August 18, 1965

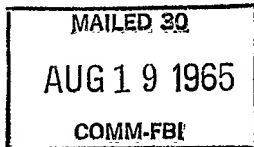
PERSONAL

Honorable Orison S. Marden
14 Wall Street
New York, New York 10010

Dear Mr. Marden:

m.z.

I want to take this opportunity to add my
congratulations to those you have already received on the
occasion of your election as President-Elect of the
American Bar Association. All of us in the FBI want to
wish you every success.



Sincerely yours,

J. Edgar Hoover

Handwritten signature and 'A'

1 - New York

NOTE: See memo 8-12-65 from Inspector H. Lynn Edwards to
Director captioned "American Bar Association, 88th Annual Meeting,
Miami Beach, Florida" recommending this letter.

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EX 105
19 AUG 24 1965
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3 AUG 30 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

August 18, 1965

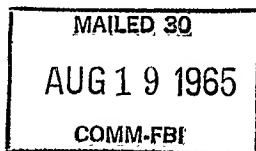
PERSONAL

111.11
Honorable Morris L. Leibman
Leibman, Williams, Bennett,
Baird and Minow
208 South LaSalle Street
Chicago, Illinois 60604

Dear Mr. Leibman:

I want to send you this note extending congratulations on being reappointed for another year as Chairman of the American Bar Association's Standing Committee on Education against Communism.

I also want to thank you for your kind references to the FBI and me in your report to this committee during your latest convention, and I hope you will not hesitate to let us know if we can be of any assistance to you during the next year.



Sincerely yours,

J. Edgar Hoover

EX-100
REC-39

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19 AUG 24 1965

100-10 Chicago 11, 22

NOTE: See memo 8-12-65 from Inspector H. Lynn Edwards to Director captioned "American Bar Association, 88th Annual Meeting, Miami Beach, Florida" recommending this letter.

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AUG 30 1965

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F B I

Date: August 12, 1965

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)TO: DIRECTOR, FBI
(Attention: Assistant Director Felt)FROM: INSPECTOR H. LYNN EDWARDS *HW*AMERICAN BAR ASSOCIATION
88TH ANNUAL MEETING
MIAMI BEACH, FLORIDA

This is third report of pertinent happenings at captioned meeting and covers events through Wednesday, August 11, 1965.

American Bar Association elected the top officers who will serve for one year beginning at the close of current meeting, Saturday, 8/14/65. These officers had previously been nominated at the ABA mid-year meeting earlier this year. Elected as President was EDWARD W. KUHN of Memphis, Tennessee, who has been President-Elect for past year. Elected as President-Elect was ORISON S. MARDEN of New York City, which position assures him automatic advancement to the ABA Presidency at the 1966 annual meeting. _____ of Tacoma, Washington, was elected Treasurer succeeding _____ of Detroit, Michigan. _____, of Houston, Texas, was re-elected for third term as ABA Secretary.

Suggest appropriate congratulatory letters to KUHN and MARDEN, both of whom are very favorably disposed to the Director and Bureau. KUHN has been especially helpful and friendly. He is especially sympathetic to the need for teaching about Communism in the public schools. In speaking to the annual meeting of the Commercial Law League of America at Miami Beach, he stated, "We realize now that

REC-22

14-1-361 - 1983

EX-101

14 AUG 25 1965

Approved: _____

Special Agent in Charge

Sent _____

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Per _____

part of democracy's responsibility in education is to bring about understanding of the goals and methods of all the foes of democracy. After some experience with wishful thinking, and with emotional denunciation, we are learning to treat the Communist challenge as a problem of education -- education in the sense of the application of intelligence to the analysis, understanding and solving of problems. ...We now recognize that not indoctrination, but rather education is the first step by which students can develop for themselves the loyalty to free institutions and the understanding of the Communist threat so urgently needed today. In trying to capture the minds of American children we must permit them to make decisions by comparison with facts as they exist. We must follow our American way of free discussion. We must not resort to totalitarian methods -- name calling, guilt by association, classification of any proposed law or government action, which may have a social purpose, as a 'communist objective'."

I also strongly suggest an appropriate letter to the outgoing President LEWIS F. POWELL, Jr., congratulating him on his splendid record as ABA President the past year, especially characterized by his strong and active support of the American Bar Association program urging education in the contrast between democracy and Communism, and also his vigorous leadership in fighting crime and advocating the correction of the serious imbalance between the rights of society and the rights of the criminal. POWELL has extensively quoted the Director in his speeches and writings, and in his major speech at the current annual meeting, which constituted the President's Report, he characterized crime as the Number One domestic problem, quoted current FBI crime figures, stated the United States is suffering a serious breakdown in law and order, and the rights of the majority are being infringed upon by the minority groups demanding additional rights. He said the Courts and legislative halls, rather than the streets, must be the places where differences are reconciled. POWELL privately advised EDWARDS that he deeply appreciated the great help given him by the Director and the Bureau during his term as President.

At the House of Delegates, the annual report of the Standing Committee on Education Against Communism was presented by Chairman MORRIS I. LEIBMAN. LEIBMAN reviewed the work of

the Committee, stated his Committee feels there are no issues more complicated or vital to the United States than the education of American youth against Communism. He paid tribute to the extensive cooperation given the Committee by the Director and read verbatim the Director's recent letter to LEIBMAN commending the Committee's work. LEIBMAN also told the House of Delegates the Director had honored his Committee by permitting a Bureau official to serve as a member. Vigorous applause followed LEIBMAN's report and there was no opposition whatever raised in the House of Delegates to either the report or the Committee's recently published Teacher Training Syllabus. Suggest an appropriate letter to LEIBMAN, congratulating him on being appointed for another year as Chairman of this Committee and expressing appreciation to him for his references to the Director and the Bureau in delivering his annual report to the House of Delegates.

At a special session of the House of Delegates, approval was given by a vote of 184 to 26 to the resolution of the ABA Criminal Law Section recommending the ABA support Senate Bill 1592, which is the Dodd firearms legislation. This action was taken only after very spirited debate in which, by special permission of the House, FRANKLIN L. ORTH, Vice President of the National Rifle Association, spoke against the bill, contending it would be in violation of the Second Amendment of the Constitution and would constitute an unnecessary restriction on sportsmen. Senator JOSEPH D. TYDINGS of Maryland, co-sponsor of the bill, strongly supported its passage stating the purpose of the bill is to assist the States in making their own criminal law effective and to control traffic in firearms, hand grenades and other weapons. He stated that as officers of the Court, members of the ABA have responsibilities to help enforce the law. President-Elect KUHN urged support of the legislation on the grounds the ABA should stand for law and order. President POWELL vigorously urged support of this legislation by emphasizing the present crime crisis. He stated this bill would enable the States to regulate and control the sale from within their respective jurisdictions. He commented about 45% of all major crimes in the United States are committed by youth under the age of 18 and that a significant number of these crimes are committed with hand weapons by these teenagers. He emphasized the bill does not unduly restrict

sportsmen in the lawful use of firearms and he expressed the opinion this legislation would strengthen the hand of law enforcement. In private discussion Wednesday night, August 11th, with President-Elect KUHN, EDWARDS learned there is serious consideration being given by some of the top officials of the ABA to the desirability of making an all-out fight to obtain passage of the firearms legislation, much the same as the ABA during the past year obtained passage of the Presidential Inability Legislation. The reasoning of these Bar officials is that this would be an excellent way to illustrate ABA leadership in the fight against crime.

At one of the program sessions of the Criminal Law Section, the panel included Deputy Attorney General [] who discussed the crime problem and the President's anti-crime program. [] emphasized that police must receive proper training as one of the primary fronts on which to attack the crime problem. [] referred to public criticism of the Courts but stated the Court opinions represent only a small number of unpopular cases. He specifically cited the Mallory Decision but commented no defendant has ever raised the Mallory Decision in any misdemeanor case in Washington, D. C. He made the surprising statement that even if the problems of interrogation, search and seizure, and related questions arising from these criticized Court decisions were well settled, the crime problem would remain the same since Court decisions do not cause crime. He said the real answer to the crime problem is more adequate and increased police protection and removal of the basic causes of crime. [] remarks regarding the fact that recent Court decisions have not contributed to the increase in crime caused several questioning comments among the audience because the effect of his comment was that the increased rights given the criminal by these recent decisions have no effect on whether or not an individual commits a crime. [] also explained the programs contemplated by the Law Enforcement Assistance Act now pending in Congress and he also made reference to the newly appointed President's Commission on Law Enforcement.

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During this same panel, former Attorney General of Missouri, THOMAS F. EAGLETON, now Lieutenant Governor, highlighted the need for updating and revising outmoded criminal

laws in the various states. He also cited the danger of adjudication of criminal charges by guilty plea without a trial, stating this often results in bargaining between the prosecution and defense and presents the danger that the guilty plea system is many times based on a person's financial means.

At another panel of the Criminal Law Section moderated by L. B. NICHOLS, Senator EDWARD V. LONG was a guest speaker. He reviewed the work of his Committee in the area of wire tapping by Government agencies. No mention was made of the FBI but LONG was very critical of Internal Revenue Service, the Post Office Department, and the Food and Drug Administration as constituting several "shocking examples" of illegal use of technical equipment. In his remarks, LONG indicated he favored continued use of wire tapping in internal security cases on prior approval of the Attorney General. LONG stated the Justice Department has never prosecuted a wire tap offense involving a Federal agency and activities of certain Federal agencies have formed the basis for a "police state." LONG stated lawyers have stood by in the face of these illegal activities whereas they must be alert to protect individual rights and prevent the formation of a police state. One attorney in the audience asked Senator LONG if his committee was not, in effect, weakening Government agencies in their fight against crime and at the same time ignoring the use of illegal wire tap by the criminal element. In reply, LONG said his Committee was aware the criminal element has used technical equipment and that such equipment is also used in private industry. He indicated his Committee might suggest the use of wire taps on first obtaining a Court order.

At a subsequent business session of the Criminal Law Section, some defense criminal lawyers from Massachusetts recommended the Criminal Law Section pass a resolution commending Senator LONG for his inquiries into illegal wire tapping. The primary reason given by these defense lawyers for their concern was the fact that LONG's inquiry had exposed certain wire tapping of criminal lawyers which seriously invaded the privileged relationship between lawyer and client. This proposal for the resolution was ruled out of order. A motion was then substituted that the Chairman of the Criminal Law Section send a letter of appreciation to Senator LONG for appearing before the Section and including a comment in support of the work of LONG's Committee but without making any

mention of any specific phase of LONG's inquiry or taking any sides in the matter. This motion was passed.

At the final business session of the Criminal Law Section, JAMES V. BENNETT, former Director of the Bureau of Prisons, was elected Chairman for the next year. Judge GERALD S. LEVIN of San Francisco, Chairman of the Committee on Alcoholism, was elected Chairman-Elect, which will place him in line to succeed BENNETT as Chairman in August, 1966. L. B. NICHOLS was elected Vice Chairman. Outgoing Chairman KENNETH J. HODSON was elected Secretary. EDWARDS was elected Assistant Secretary. CHARLES A. BELLOWS was elected Section Delegate to the House of Delegates and CHARLES L. DECKER, Missouri Supreme Court Justice LAURENCE M. HYDE, ARTHUR FREUND and Associate Commissioner of Immigration and Naturalization Service MARIO T. NOTO were elected to vacancies on the Council. Some criticism was voiced following these elections to the effect that the Section officers have an insufficient number of defense lawyers to give the Section balance. In reply, the Chairman stated that there is adequate representation of defense lawyers among the officers and that if defense lawyers exhibited a more active interest in the activities of the Section they would be able to assure themselves of greater representation. It did seem that the Criminal Law Section sessions at this meeting were more heavily attended by defense lawyers than previously. One of the reasons for this may be that the National Association of Defense Lawyers had held its annual meeting at Miami Beach immediately prior to ABA meeting and, consequently, many defense lawyers remained over for the ABA meeting.

At present, my plans are to leave Miami Saturday, August 14th, via Eastern Air Lines Flight 676, arriving Washington National Airport 4:43 p.m.

An additional report summarizing remaining sessions through Friday, August 13th, will be submitted.

August 18, 1965

PERSONAL

REC-22

EX-101

Honorable Edward W. Kuhn
5080 Raleigh-Bartlett Road
Memphis, Tennessee

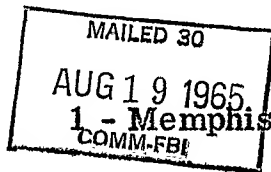
Dear Mr. Kuhn:

I want to send you this note of heartiest
congratulations on your election as President of the
American Bar Association.

This action is indeed a vote of confidence
in your ability, and all of us in the FBI want to extend our
best wishes for every success in your new duties.

Sincerely yours,

J. Edgar Hoover



AUG 18 2 21 PM '65
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NOTE: See memo 8-12-65 from Inspector H. Lynn Edwards to
Director captioned "American Bar Association, 88th Annual Meeting,
Miami Beach, Florida" recommending this letter.

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51 AUG 31 1965
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August 18, 1965

PERSONAL

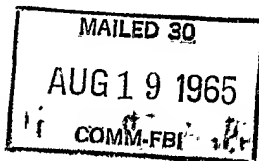
Honorable Lewis F. Powell, Jr.
1238 Rothesy Road
Richmond, Virginia

Dear Mr. Powell:

I want to take this opportunity to congratulate you on the splendid record you compiled as President of the American Bar Association.

Your vigorous leadership in fighting crime and your stand on the imbalance between the rights of society and the rights of the criminal are indeed noteworthy. I was also particularly interested in your emphasis on the need for teaching the contrast between democracy and communism. As you know, I have long advocated that a broad knowledge of the objectives and aims of the communist movement is essential if Americans are to effectively resist its influence. You can be justifiably proud of your tenure as President of this organization.

Sincerely yours,
J. Edgar Hoover



1 - Richmond

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NOTE: See memo 8-12-65 from Inspector H. Lynn Edwards to Director captioned "American Bar Association, 88th Annual Meeting, Miami Beach, Florida" recommending this letter.

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51 AUG 30 1965

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Aug 18 2 21 PM '65
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FBI

REC-21

19 AUG 24 1965

AMERICAN BAR ASSOCIATION

OFFICE OF THE PRESIDENT
EDWARD W. KUHN
AMERICAN BAR CENTER
CHICAGO, ILLINOIS 60637
TELEPHONE (312) 493-0533

Memphis, Tennessee
August 24, 1965

MEMPHIS OFFICE
P. O. Box 123
150 E. COURT AVENUE
MEMPHIS, TENNESSEE 38101
TELEPHONE (901) 526-0606

Honorable J. Edgar Hoover,
Director
Federal Bureau of Investigation
United States Department of Justice
Washington D.C.

Dear Mr. Hoover:

Your congratulatory letter of August 18th was received at my home on yesterday and I hasten to thank you most sincerely for the wishes expressed therein.

We are looking forward to continuation of our former close relationship and I hope to see you in my official capacity very soon.

Mr. Tolson ☒
Mr. Belmont ☒
Mr. Mohr ☒
Mr. DeLoach ☒
Mr. Casper ☒
Mr. Callahan ☒
Mr. Conrad ☒
Mr. Felt ☒
Mr. Gale ☒
Mr. Rosen ☒
Mr. Sullivan ☒
Mr. Tavel ☒
Mr. Trotter ☒
Tele. Room ☒
Miss Holmes ☒
Miss Gandy ☒

Sincerely yours,

EWK/p

Edward W. Kuhn

EXP. PROC.
33 AUG 26 1965

0 American Bar Association

REC-52

94-1-369-1986

4 AUG 26 1965

CORRESPONDENCE

53 SEP 2 1965

Leibman, Williams, Bennett, Baird and Minow

MORRIS I. LEIBMAN
D. B. WILLIAMS
RUSSELL O. BENNETT
RUSSELL M. BAIRD
NEWTON N. MINOW
LAURENS G. HASTINGS
GEORGE W. K. SNYDER
JOHN H. ROCKWELL
GALE A. CHRISTOPHER
RICHARD H. PRINS
GEORGE T. BOGERT
DAVID P. LIST
JULIAN R. WILHEIM
GEORGE J. McLAUGHLIN, JR.
THOMAS H. MORSCH
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August 24, 1965

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover:

Your letter of August 18 is most heartwarming.

It was a real privilege to read your letter of July 30 to the entire House of Delegates at the American Bar Association Annual Meeting in Miami Beach.

Your assistance, as in the past, will continue to be our mainstay in this unending fight.

Sincerely,

M. I. Leibman
Morris I. Leibman

MIL:j

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CORRESPONDENCE